

Law Enforcement News

Vol. XXVIII, No. 586

A publication of John Jay College of Criminal Justice/CUNY

October 31, 2002

In this issue:

Around The Nation: A coast-to-coast roundup of police news. **Pages 2, 3.**

People & Places: The ego has landed: a cure for what ails 'em; the chiefs' chief; the lace is familiar; NJSP says so long, Santiago; two quick outs. **Page 4.**

Risk assessment: Survey finds schools in heightened peril from terrorism. **Page 5.**

Bank robbery fallout: Trooper's traffic-stop mistake leads to his suicide. **Page 5.**

Fires of outrage: Arson attacks target local anti-drug activists. **Page 5.**

Stop the presses: Armed citizen patrols chase drug runners (and publicity) along the border. **Page 6.**

Federal File: Criminal justice developments at the federal level. **Page 6.**

Danger from behind: Another death from Crown Vic rear-end collision. **Page 6.**

Hoping for the best: Houston PD wants productive lies to new Cnpwatch group. **Page 7.**

Bumps & grinds: LA pickpocket squad reels in transit gropers. **Page 7.**

Light reading: Some just can't beat the local police blotter. **Page 7.**

Homeland insecurity: Intimate partners prove deadly for women. **Page 8.**

Forum: End-of-year nest-egg enhancement; controlling crime or explaining it, but not both. **Page 9.**

Pot plot thickens: West Coast task forces face thorny questions from medical marijuana. **Page 11.**

Shoots & leaders: Boston's top cop takes lumps from union over shooting at moving cars. **Page 11.**

Hard questions about software

Agencies find mountain-sized speed bumps on the information superhighway

It is a story that has become quite common these days among law enforcement agencies trying to keep in step with the steady advance of digital technology: A city attempting to recover enormous sums of money from a software company that promised to make its police department a "paperless" environment in which officers could submit reports from the field, access criminal records and other databases instantaneously, and carry out many of the workday tasks made so simple by computers operating in the private sector.

One of the newest cases involves officials from Sarasota, Fla., who are trying to recoup some of the \$730,000 they paid to VisionAir, a North Carolina-based firm that was contracted in 1998 to furnish and install a records management system and a mobile reporting system. After more than three years of frustration, the city returned the software 15 months ago, but is still haggling with the company over the refund.

According to Lieut. Jerry Lacertosa of the police department's administrative division, the products never performed at the level expected by the agency in light of VisionAir's sales presentation. There were numerous problems with the property and evidence module, he told Law Enforcement News.

"The chain of custody just didn't flow," said Lacertosa. "To enter a case on their RMS system,

we went from a pretty simple process where it would take a records clerk maybe eight or nine minutes to enter a report, to it taking them 18 to 20 minutes — increasing time instead of decreasing it. There were just a lot of frustrations along the way."

VisionAir's system was also not user friendly, said Lacertosa. In trying to get field reports from

First, three years of frustration with a dysfunctional records system — then haggling over a refund.

officers to supervisors and back again, a few would get stuck in limbo. "We couldn't figure out what happened," he said.

Among the biggest problems, however, was the Uniform Crime Reporting data. If there were multiple arrests on a case, the system would only track the highest of those. The department was losing its reporting ability on the other cases. In all, three years of crime statistics were distorted due to lost and duplicated reports.

"We had expected some bumps in the road, we tried every which way to work around them, but after three and a half years of not being able to

move forward," Lacertosa said, the department paid more than \$30,000 in 2000 to hire temporary workers to take care of the backlog.

The Sarasota Police Department is apparently not the only one to have some problems with VisionAir, which was formerly known as Vision Software Inc.

In New Hanover County, N.C., the sheriff's department was so disappointed in its VisionAir system that it would not accept it when it was offered to them for free in 2000. The system was also dropped by Chapel Hill, N.C., police who said it was so difficult for records specialists to use, that it would not be advantageous to officers in the field.

Jane Cousins, a police analyst, had told the Chapel Hill Town Council that the program had more than 40 defects, including a 17-step process to enter a mugshot into the system, according to The Associated Press.

"If it would have worked, we would have gone with it, but it had problems we couldn't rectify," said Capt. Nathan Johnson of the New Hanover sheriff's office. County commissioners there terminated the jurisdiction's contract with VisionAir in 1998.

Problems with a VisionAir RMS system used by the Corvallis, Ore., Police Department and the Benton County Sheriff's Department last year

Continued on Page 10

Little things matter in building bridges to growing Somali immigrant population

When speaking with victims or witnesses who are members of a growing population of refugees from Somalia, it is the little things that count, according to a Somali-American police officer in San Diego, who is trying to bridge the cultural gap between his countrymen and law enforcement.

Officer Abdiweli Heibeh, who is reportedly the nation's only Somali lawman, conducted a seminar this month in Columbus, Ohio, where the East African population is approaching 20,000. With greater interaction between officers and this refugee community, some cultural understanding has

become necessary, Heibeh said in an interview with Law Enforcement News.

Columbus is not the only city with a growing number of Somalis. In Lewiston, Maine, more than a 1,000 have resettled there in the past 20 months. The city of Holyoke, Mass., has also been asked to help in the resettlement of some 300 Somalis, and Portland, Maine, has as many as 2,200.

Heibeh, a former military officer in his own native country, was granted political asylum here in 1987. There is a difference, he said, between immigrants who come to the United States for economic opportunity, and refugees

who are forced to leave their homes, knowing little about the customs of their new land. Before joining the San Diego force in 1998 as a community service officer, Heibeh worked at a variety of odd jobs, such as driving a cab and working as a security guard.

"Law enforcement needs to educate the community about the laws in this country," he told LEN. "Something that might not be illegal back home, could be illegal here. At the same time, officers need to be educated about the culture of these people, where they came from. That's where most misunderstandings come from."

Some types of behavior that might ordinarily not warrant a second thought from police, Heibeh said, could abruptly end an interview with a cooperative witness. At the top of the list is the pointing of an index finger, which is seen as dangerously close to an obscene gesture among Somalis.

That tip is exactly the kind of information that Columbus detective Edward Doleman said he had come to learn about at Heibeh's seminar. Doleman, who works in the robbery unit, said he had been assigned to two cases involving Somalis last year. The first investigation was a mess, he told The Columbus Dispatch. Although he was given little to go by, Doleman said he suspected that the crime was committed by one Somali against another, and that the two were covering for each other.

In the other case, he took the time, he said, to ask the witness about his past. Opening up to Doleman, the man eventually pointed out a suspect who was eventually arrested.

"I think it was just because I showed some interest in him," he told The Dispatch.

Heibeh also recommends that whenever possible and safe, police should not transport a male and a female together in the same car. Somalis are Muslim, and believe it is improper for a man to touch any woman not his wife.

"It would be kind of weird to put

Continued on Page 8

For Florida police, higher education means lower risk of disciplinary action

Police officers with just a high school diploma made up just over half of all sworn law enforcement personnel in Florida between the years 1997 and 2002, yet they accounted for nearly three-quarters of all disciplinary actions issued by the state, according to a preliminary study commissioned by the International Association of Chiefs of Police.

The findings in "Discipline and Educational Levels of Law Enforcement Officers: An Exploratory Report" are based on statistics gathered by the Florida Criminal Justice Standards and Training Commission. As of August 2002, Florida had 42,910 sworn officers.

Of those, 24,800 had high school diplomas; 6,777 had associate's degrees, and 10,364 had bachelor's degrees. Another 867 officers held master's degrees and 102 had earned doctorates, said the report.

Officers with no degree above high school accounted for a startling 74.8 percent of the 727 disciplinary actions issued by the CJSTC during the five-year period. Those with bachelor's degrees made up 11.9 percent of the total, and those with two-year degrees represented 12.2 percent. Only six of the 867 officers with master's degrees were disciplined by the agency, and one of the 102 who hold doctorates.

"Education and law enforcement has been debated for decades," said Deputy Chief Scott A. Cunningham of the Tampa Police Department, the study's author and chairman of the IACP's police administrative committee.

In an interview with Law Enforcement News, Cunningham noted that outgoing IACP president William Berger, chief of the North Miami Beach Police Department, had commissioned the study to see if a correlation existed between discipline and educational levels. The findings convinced those who prepared the study — and Berger — that further examination was warranted,

he said.

"We needed to finally put it to rest, and say that all the rest of society values higher-educated people," said Cunningham, who holds a Ph.D. degree in adult education from the University of South Florida. "Law enforcement, just on the bare face, shouldn't be any different there."

The committee is ready to go forward on a "massive study on education," he said.

Cunningham noted that the discipline imposed on the officers in the cases studied was severe. The study looked at the harshest penalties — re-

Continued on Page 10

Around the Nation

Northeast

MASSACHUSETTS — Two whistleblowing state police officers, Trooper Kevin Roberts and Sgt. Chuck Cosgrove have been awarded an undisclosed cash settlement and reinstated to their regular shifts. The pair were harassed after they revealed a scam involving a group of troopers that resulted in the issuance of scores of bogus speeding tickets and thousands of dollars in unearned overtime. Four officers involved in the scam, including a major and a captain, have been reassigned to other units. Two received letters of reprimand.

Four female state police troopers who forced the agency to revise its policy regarding pregnant officers have been awarded more than \$1.3 million in damages, ending a five-year battle with the agency. Until troopers Caryl Sprague, Lisa Butler, Susan Howe and Sarah O'Leary took legal action, the state police hounded pregnant troopers from wearing uniforms, interacting with the public, driving police cruisers and working overtime. Pregnant officers may now remain on full-duty status if their doctors agree that it's appropriate.

NEW JERSEY — Violent fugitives in the state were put on notice on Oct. 4. As part of a pilot program launched by the U.S. Marshals Service and funded with \$5.8 million in federal money, a violent fugitive task force will be operating in all 21 counties, focusing on those who have committed first- and second-degree crimes with weapons or threats. The federal agents will contribute manpower and technology to local authorities, particularly sheriff's departments. For starters, the task force wants each county to select the five most violent fugitives on its most wanted list.

Twelve Paterson police officers will relinquish their 11th-hour promotions under a settlement with the city. The officers will, however, retain first rights to those jobs when they open up. Former mayor Marty Barnes promoted 11 patrol officers to sergeant and a sergeant to lieutenant just three days before he left office in July and pleaded guilty to federal corruption charges. The new mayor, Joey Torres, appealed the promotions on the grounds that the city could not afford the more than \$100,000 in extra salary while trying to close a multimillion-dollar budget gap.

Spurred by an investigative series in *The Philadelphia Inquirer*, which found that only 1 inmate was receiving treatment for Hepatitis C, prison officials have belatedly informed over 1,100 state inmates that they are infected with the virus.

NEW YORK — A 29-year-old New York City housing police officer shot herself inside the bathroom in a Coney Island station house just minutes after she stood for roll call. The officer, who was not immediately identified, left no note, and one official said there had been "no sign that she would do anything like this."

The Manhattan District Attorney's Office plans to appeal a judge's ruling that tossed out evidence in a drug case. Of-

ficer Kevin Paynter had spotted the suspect, Vincent Cooper, illegally parked in a drug-prone location. When Paynter asked him why he was in the area, Cooper only mumbled. Paynter pinched the suspect's cheeks and four bags of marijuana fell out. Police union officials were reportedly angered when the judge called the officer's actions intrusive.

A \$10-million class action lawsuit alleging racial discrimination was filed Oct. 9 on behalf of about 2,000 black and Hispanic undercover officers with the New York City Police Department. The suit accuses the department of jeopardizing the officers' safety during buy-and-bust operations by sending out teams that are understaffed.

PENNSYLVANIA — Chad M. Eschbach, 21, who pleaded guilty Oct. 3 to marijuana possession and trying to run away from police, will run again. As part of his plea bargain, Eschbach agreed to run in a five-kilometer race that will benefit the Schuylkill-Carbon Lodge of the Fraternal Order of Police. When the defendant was asked if he was a runner, his attorney, who will also run in the race, said "He will be, your honor."

In the midst of a simmering dispute between Lehigh County District Attorney James B. Martin and Allentown Police Chief Stephen L. Kuhn, the D.A. has issued new rules expanding his influence over the way police make arrests. Under the new rules, police officers in Lehigh County will have to ask for the district attorney's permission to file charges in many cases. The ongoing tension between the two officials relates to the way Allentown police have released information to the media in criminal cases. Martin says that the new rules have nothing to do with the dispute and that he had sought the changes in September, long before the clash. However, recently obtained documents show that Martin's displeasure dates back to at least the end of May.

Southeast

ALABAMA — The offices of the Lauderdale County Drug Task Force officers were broken into sometime in the early morning hours of Sept. 30, and marijuana, Oxycontin and an undisclosed amount of cash was stolen from evidence lockers. Florence Police Chief Rick Singleton has asked the state bureau of investigation to investigate.

FLORIDA — Serial killer Aileen Wuornos, 46, was executed on Oct. 9, making her the 10th woman to be executed in the United States since the death penalty was resumed in 1976. More than a decade ago, Wuornos murdered six men along Florida highways while working as a prostitute.

Federal officials are investigating whether the Brooksville Police Department forces employees to work overtime without proper pay. The probe was prompted by a retired detective who told Department of Labor officials that he was not paid for 1,200 hours of overtime. Chief Ed Tinchin insists that his department follows federal laws and

that if the detective worked overtime, he didn't know about it.

A former narcotics supervisor with the Charlotte County Sheriff's Department was suspended Oct. 3 for possibly lying on his employment application. Wyatt O. Henderson claimed to have a bachelor's degree in criminology from Florida State University, but no record could be found of him ever graduating or even taking classes there. Henderson had filed a whistleblower's suit in September in which he claimed that members of the narcotics unit fired paintball guns at cars and public buildings, and caused damage to the buildings, office equipment, and personal property. He also claims that co-workers were encouraged to ostracize him. The narcotics unit was disbanded Oct. 2 in the wake of numerous cases of alleged misconduct by its members.

A videotape made by some Pinellas Park police officers during an international SWAT team competition has been made public after a federal judge ruled that it was evidence in a discrimination lawsuit. The tape shows the officers screaming in a restaurant, using racial slurs and purchasing alcohol while in a city police car. One officer is shown in a hotel hallway wearing underpants and a jockstrap. Last year, the officers received written reprimands for their behavior and city officials refused to release the video.

Tampa law enforcement officers made 106 arrests in a three-day crime sweep in the Robles Park and Belmont Heights communities that began Oct. 1. The sweep marks the latest in a series of operations aimed at improving the quality of life in those neighborhoods.

NORTH CAROLINA — After learning that 7 of the 27 people killed in Durham this year were Hispanic, Mayor Bill Bell devised a plan that seeks to reduce that population's vulnerability to victimization, increase understanding of the Hispanic community and integrate them into the larger community. As part of the Latino/Hispanic Outreach Initiative, Durham police will assign at least one full-time bilingual officer to the largely Hispanic neighborhoods and deploy the department's mobile command unit to those neighborhoods weekly. In addition, all officers will undergo three hours of cultural awareness training.

A report by a law firm hired to investigate the Elizabeth City Police Department and allegations that Chief Trevor Hampton was showing favoritism concluded that most of the problems stemmed from mid-level officers who had been there several years. The report also states that Hampton should be more consistent in disciplining officers. An attorney for six officers who are suing the city and Hampton said the report was a sham since it was done by a firm hired by the city. Hampton is the city's fourth police chief in 10 years. His predecessors all left under fire.

Ricky Todd Carver, a veteran car thief who allegedly led Durham County sheriff's deputies on five chases over the course of the last weekend in September, was arrested at a convenience store on Oct. 1. Sgt. Will Oakley was driving an unmarked car when he visited the area where Carver was last seen after erasing a stolen car. Oakley spot-

ted him and followed Carver to the store. When Carver exited the store, Oakley and four other officers surrounded him. He was arrested after a scuffle.

SOUTH CAROLINA — Michael E. Temple, a former chief deputy in Richland and Anderson counties, was sentenced Oct. 2 to more than 18 years in prison for four armed robberies. In one robbery, he pointed a gun at police during a high-speed chase. Temple was about two years away from retirement.

Anderson County sheriff's deputy Timothy A. Smith was terminated from his job of 11 years on Sept. 30 after he was charged with several counts of having sexual relations with minors.

TENNESSEE — Driver's licenses in the state will soon get a new look and enhanced security features, including a '2-D' bar code containing the same information that's on the front of the license. The new licenses were mandated after the Sept. 11 terrorist attacks.

VIRGINIA — A second class of Roanoke County and Roanoke city police officers recently completed a 40-hour crisis intervention course based on a program pioneered by the police in Memphis, Tenn. The Roanoke County Police Department is the only one in the state that offers the innovative training for dealing with the mentally ill. [See LEN, Dec. 15/31, 2000.]

In the eyes of many, Hanover County sheriff's deputy Jim Cole, 34, and Mary B. Taliaferro, 77, have become the poster children for a sheriff's office program that teams deputies with senior citizens. Cole, who feels that Taliaferro is like a surrogate grandmother, visits her two or three times a week, brings groceries, works on her car, helps with the gardening, and makes sure she gets to her doctor's appointments or the pharmacy. Taliaferro cooks for him, knits things for his wife and daughter, and at Christmas, prepares a gift basket. The Adopt-a-Senior program was started in 1996 to supplement social-service programs. Twenty-seven deputies currently take part in the program.

Midwest

ILLINOIS — Rookie Chicago Police Officer Rafael Balbontin shot and killed a 14-year-old boy and wounded another man in the hand when the two invaded his home Oct. 4. The incident began when Balbontin's mother answered the door to the two men and screamed when she saw that one of them had a gun. Balbontin and his father gave chase and when one of the suspects turned and pointed his weapon, Balbontin opened fire. The older suspect, 26, allegedly dumped the boy's body in a lot while trying to make his escape. He was later captured at a local hospital.

INDIANA — Some pharmacies in the state have taken Coricidin HBP Cold and Cough medicine off the shelves after police warned that the product, in large doses, is becoming popular as a recreational drug among teens.

After getting a tip from a woman in Seattle, police in Highland were able

to reach a teenager just minutes before he could have lapsed into a coma from an overdose of pills. Jennifer Martini was online one day when the Indiana teen, whose online name is "Vegas," posted a bulletin-board message that read like a suicide note. Martini, with the online assistance of a friend in Texas, spent the next 90 minutes doing detective work and gathered enough information, including Vegas's identity and whereabouts, to pass on to police.

MICHIGAN — Law enforcement agencies in Michigan, Illinois, Indiana, Kentucky and Ohio have formed the Midwest Public Safety Communications Consortium to improve radio communications across state lines. The consortium is expected to be the nation's widest area of interoperable radio communications for emergency personnel. A spokesperson for the Michigan State police said that a lack of public safety interoperability was a large factor in the response to the Sept. 11, 2001, terrorist attacks.

OHIO — A state appeals court has upheld a battered women's shelter's protection against having to give client information, to police. The decision came in a case in which the Athens County Sheriff's Department wanted the address for a former client at the shelter because they wanted her to testify against the man who allegedly assaulted her. The county prosecutor argued that professional-client privacy can be breached when the information sought by police relates to the client's safety. The appeals court disagreed, however, saying that state law is intended "to elevate the interests of confidentiality for victims of domestic violence over the need for criminal prosecutions."

Twenty-five youngsters in Ravenna recently attended a one-hour class to learn how throwing a tantrum in public could save their lives. The Escape School program, founded by retired San Francisco police officer Bob Stuber and sponsored by Dignity Memorial, a nationwide network of funeral homes and cemeteries, is designed to show children how to possibly foil or escape an abduction. In addition to learning how to throw screaming fits or cling to a grown-ups leg for help, children learn other techniques such as how to rip out brake light wires in car trunks or force a collision.

WEST VIRGINIA — Prompted by a statewide shortage of troopers, State Police Col. Howard Hill plans to transfer an undetermined number of troopers from the 31-member West Virginia Turnpike detachment to other units. Currently, 20 of the 62 state police detachments have three troopers or fewer, and only three detachments have 24-hour patrols. Officials are also said to be concerned that a war between the United States and Iraq could drain the department of an additional 50 troopers who are members of the National Guard or reserves. The state police has 584 troopers at present, compared to 702 in 2000.

The Charleston Police Department will use \$5,000 from a federal Local Law Enforcement Block Grant to pay for a specialized "hostage negotiator phone." Last May a man was talked out of an apartment in which he had barricaded himself after police tossed a cell phone through the apartment window. Deputy

Around the Nation

Chief Mark Carlson said that although the cell phone worked that time, it could have malfunctioned.

WISCONSIN — A judge has ordered Milwaukee's mayor, City Council president and police union officials to appear in court, where he plans to sequester them in a jury room in hopes that the city can resolve an overtime pay dispute. The police unions maintain that overtime pay has been delayed because of a policy change by Police Chief Arthur Jones. The chief says that the delays were unintentional and caused by the department's trouble-plagued computer system.

Milwaukee Fire and Police Commissioner Carla Cross has recommended that the police department be required to give employees five days' notice before transferring them. The recommendation must be approved by the commission's other five members. Notification became an issue last year when Police Chief Arthur Jones transferred about 15 percent of the police force — more than 300 officers — with only two days' notice.



IOWA — On Oct. 21, about 60 police dogs from around the state took their annual certification tests from the United States Police Canine Association. One recertified K-9, Cesar, a German shepherd with the Urbandale Police Department recently won an award for finding a 145-pound stash of marijuana that was packed in plastic wrap, axle grease, duct tape and scented dryer sheets, and placed in a metal box in a hidden compartment under a rug on the floor of a van.

MINNESOTA — Authorities say that Indian reservations in the northern part of the state are becoming hotbeds of gang activity. The federal government has so far earmarked \$320,000 for antigun and antigang projects on the reservations, with most of the money going to Red Lake, which had five homicides between December and July. Reservation authorities say that the gang activity can be traced to drugs and alcohol and fights over drug sales.

St. Paul police are offering a \$2,500 reward for information leading to the individual who poured gasoline on seven cars, including two police cruisers, at a police district office and set them on fire. At least five of the cars were destroyed.

NEBRASKA — In an effort to attract a new class of recruits, the state patrol is allowing lateral applicants with valid law enforcement certificates to enter a two-month, condensed training camp. Training for those without experience usually lasts six months. This is the first time the state patrol has opened its doors to lateral entry.

NORTH DAKOTA — To cover for the 10 employees that have been called to active military duty, the Fargo Police Department this year has spent twice what it usually pays in overtime. Since January, overtime has cost the department \$78,000.

WYOMING — An eight-member working group has been formed to coordinate the state's role in Project Safe Neighborhoods, President Bush's two-year, \$550-million program to reduce gun crimes through increased cooperation among law enforcement agencies. Among the working group's members are the sheriffs of Fremont, Campbell and Natrona counties and the interim police chief of Cheyenne.



COLORADO — The New Life Church in Colorado Springs is reviewing its missionary training program after several law enforcement agencies, including a SWAT team and the Air Force police, responded to a situation that looked dangerous. The church, which trains missionaries to handle encounters in nations that are sometimes hostile to Christians, had members on the ground in the church parking lot while program leaders brandished fake assault weapons. A passing motorist contacted police. The church has pledged not to hold future sessions in public view.

The Denver Police Department has begun a "Heal as you Feel" program designed to give sick or injured police officers and their family members help with such tasks as cooking meals or cutting lawns. Officers from Denver and other metro area departments have been visiting New York City police sergeant Luis Garcia, bringing him food, watching football games or just chatting. Garcia, who was paralyzed in a car accident on New Year's Eve 2000, was transferred to Craig Hospital in Englewood, which is nationally recognized for its work on spinal cord patients. Garcia is hoping to go home by mid-November. [See LEN, June 30, 2002.]

Denver police and other city officials will start accepting identification cards issued by the Mexican government. The card, which is to be treated as the equivalent of a state driver's license, entitles the bearer to use it to get everything from a business license to a bank account or a building permit. The card is controversial because it is often used by illegal immigrants. More than 40 U.S. cities now recognize the card, known as a "Matricula Consular."

NEW MEXICO — Albuquerque school district and city police, as well as Bernalillo County deputies, are attributing a 14.6-percent drop in vandalism and violence in the city's public schools to a stronger law enforcement presence, and better cooperation and crime reporting. A decade ago, the schools were patrolled by contract security guards. When Gil Lovato became chief of the Albuquerque Public Schools Police Department nine years ago, however, he moved to restructure the agency and the district now has a regular police force. Reports of criminal damage, graffiti, missing property and weapons possession all declined in the past year.

The vice president of Albuquerque's police union, Jeff Remington, has been

criticized for telling officers to "use discretion" when citing people whose vehicles sport a bumper sticker that supports a proposed public safety tax. Remington maintains that he did not mean for the statement to be construed that people with the stickers should get special treatment, and he sent out a letter to police clarifying his statement.

On Oct. 6, Valencia County Sheriff's Deputy Damacio Montano, 28, died after being shot several times and his brother, state police officer Eric Montano, was hospitalized with a hip wound. The two brothers were off duty when they were shot while trying to help break up a bar fight between two women. They were helping the bouncers escort the women out when a car pulled up and someone fired at the officers. Nestor Chavez, who was arrested that day on an outstanding warrant in an unrelated murder case, is a suspect in the shootings and another man is wanted in connection with the crime.

Carlsbad Police Officer Debra Kupek was placed on paid administrative leave after she filed documents with the Eddy County clerk's office claiming she is not a U.S. citizen, as part of her fight to avoid paying income taxes. City Administrator Jon Tully said that the city will investigate because law enforcement officers in New Mexico must be U.S. citizens.

TEXAS — Officials with the Afro-American Sheriff's Deputy League and the Afro-American Police Officer's League are criticizing Harris County District Attorney Chuck Rosenthal, saying he treats black police officers accused of wrongdoing differently than whites. The groups pointed to Rosenthal's filing of a perjury charge against Houston Police Chief C. O. Bradford, who is black, but not the white police chief of Arcola, Richard Smith. Bradford is accused of lying under oath about his using profanity toward subordinates.

The state Department of Public Safety cut ties between the state and a national terrorist crime database 18 months before the Sept. 11, 2001, terrorist attacks, according to a report in The San Antonio Express News, and the link is only being reactivated. Cutting the link, an action prompted by a 1999 law to protect juveniles — prevented law enforcement officials from entering the names of terrorist suspects, although not from retrieving information. DPS officials maintain that any suspicious activity could have been entered into a second database.

UTAH — The Victim Information and Notification Everyday (VINE) program, which allows crime victims to call a toll free number to check on a prison inmate's status, was due to be up and running in Utah by the end of October. The system allows callers to register to receive automatic calls when an inmate's status changes. The system will try to reach the person until a message is acknowledged. The project is funded by the State Office of Crime Victim Reparations and endorsed by the Utah Council on Victims of Crime. [See LEN, April 30, 1995.]

Rodney H. Holms, a police officer in the border towns of Hildale, Utah, and Colorado City, Ariz., has been charged with bigamy and illegal sex with a 16-

year-old girl. Holms, who is a member of the Fundamentalist Church of Jesus Christ of Latter Day Saints, has three wives and 21 children. The 16-year-old girl is the sister of his legally recognized wife, Suzie Stubbs Holms, who is charged with aiding and abetting the illicit relationship with the girl. Holms would lose his police certification if he is convicted of the felony charges.



CALIFORNIA — Responding to a request from authorities, local businesses in Canby recently donated workers and equipment to help shovel out more than 6,000 marijuana plants found growing in Modoc National Forest. The crops were spotted by a member of the county's drug task force during a routine reconnaissance flight.

The FBI plans to set up a \$3-million computer forensic laboratory in Silicon Valley, which would use the latest imaging software and state-of-the-art computers to look for cyber-clues of murder, corruption, child pornography and other crimes. The lab, which is expected to be operating by next year, would be staff by about 15 investigators from the FBI and local agencies.

On Oct. 16, the Los Angeles City Council voted to settle a police sergeant's retaliation and discrimination claims against the police department. Sgt. Diane Tostado, who is Hispanic, said that retaliation against her started when she came forward to say that one of her watch commanders did not support the department's affirmative action policy. The claims were settled for \$1.2 million.

Authorities are investigating the police shooting of an alleged auto-theft suspect following a high-speed pursuit. The Redondo Beach police officer fired his weapon after the suspect crashed the stolen sport-utility vehicle into a curb near the Los Angeles International Airport. Citing unnamed sources, newspapers reported that the officer mistakenly grabbed a shotgun instead of a weapon loaded with a "less lethal" beanbag round. No weapons were found on the suspect or in the vehicle.

Paul Sanchez, who is well known by San Francisco police officers, judges and other court officials, was recently arrested for the 128th time for public drunkenness and resisting arrest, after throwing an empty vodka bottle at an officer. While the latest incident involving Sanchez underscores the growing problems caused by the city's street people, a spokesman for the district attorney's office said that "the real story is about a system that is broken." Sanchez has been repeatedly charged with numerous offenses, but usually has the charges pleaded down to a single count. He spends a few months in jail, then is released only to be arrested the next day.

The Townsite district in Vista, which accounts for about 26 percent of the city's population, is slowly losing its reputation as a suburban crime hub. Sheriff's deputies say Townsite is still

a rough area, with 30 percent of the felony arrests in the city during the first half of this year, but that represents an improvement from last year's 36 percent. Officials say the improvement began when the San Diego County Sheriff's Department opened an office at Townsite Park and began a community oriented policing and problem solving initiative. The COPPS unit is also leading the law enforcement aspect of the city's Weed and Seed program.

The Ventura County Board of Supervisors has proposed adding a \$1-per-vehicle surcharge to the cost of registering a car, which would raise \$570,000 a year to be used to buy and install computerized fingerprint machines for the county's smaller police agencies. The high-tech equipment, which is already in use at a few of the larger agencies, is used primarily to help identify motorists suspected of drunken driving or other vehicular crimes, but the stored data has also helped solve other crimes. Officials say the technology could eventually serve as a tool to find suspected terrorists by linking to federal government databases.

A report on the multi-agency law enforcement response to the July 4 shooting at the El Al ticket counter at Los Angeles International Airport, while generally positive, has pointed out several areas for improvement, including the need for better coordination among agencies and better sharing of resources. The Los Angeles City Council's Public Safety Committee will review the findings and discuss issues such as the possible formation of a "centralized police agency" that combines the Los Angeles Police Department with airport police.

HAWAII — The state is changing the way it calculates police officers' retirement benefits, causing many to consider moving up their retirement date to before the end of the year. Currently, an employee's pension is based on the three highest earnings years, with a year taken as any 12-month period. The new calculations will be based on calendar years, or the last 36 months if an employee retires at the end of a year. While the change would not effect most employees, it can greatly reduce police officers' pensions because their yearly income can vary widely because of overtime. Honolulu Police Chief said he does not expect the change to lead to a mass exodus of officers.

WASHINGTON — Disagreements between the Newport police and the Pend Oreille County sheriff's office came to a head in October when the problem caused a felon to escape from the county jail. Problems with the performance of Newport Police Officer Rob McKaig, including an incident in which he drew a blood sample from a prisoner and left the contaminated needle and spilled blood on the floor, finally resulted in Sheriff Jerry Weeks banning McKaig from the jail. Two days after the ban, McKaig came to the jail to drop off the prisoner. He claims he asked the prisoner to walk to the sheriff's office lobby and turned himself in while he watched from the street. McKaig then drove away after he waited long enough to be convinced that the prisoner was taken into custody. When the jailer came out, however, the prisoner was gone. Newport officials are investigating.

People & Places

The ego has landed

Are police chiefs a bunch of arrogant so-and-sos with big egos? You bet. And that is exactly as it should be, according to Des Moines Chief **William Moulder**, who is retiring after 18 years leading the state's largest municipal police force.

The longest-serving chief in the history of the department, the 64-year-old Moulder began his career with the Kansas City, Mo., police in 1958 and continued there until 1984, when he was picked as chief in Des Moines. Along the way, he earned a bachelor's degree in sociology and a master's degree in public administration from the University of Missouri in Kansas City.

Des Moines's complete transition into a community policing agency is one of his primary accomplishments, Moulder told Law Enforcement News. Although that process began in 1987, it has evolved over the years from a departmental section to the point where every officer is involved, he said. The agency has rediscovered what it means to do the sort of traditional law enforcement that was common before "the motor vehicle became the dominant means of transportation," said Moulder. Another "nut in my belt," he told Law Enforcement News, is the talented command staff that has grown under his leadership.

"One of the things I have no hesitation about is the future of this organization after I go," Moulder told LEN. "It sounds a little bit egotistical, but there are some very talented people who will pick up the reins. The organization will continue to move forward as a leading professional police department in this community."

Among his regrets, however, is that he was not able to move the agency into the more advanced modes of communication earlier. It is only now that Des Moines is getting the equipment which will allow it to do Compstat-type crime analyses. Although it is underway, Moulder said he would like to have seen it happen during his watch.

And every police officer has that one case that continues to chafe. For Moulder, it is the disappearance of 12-year-old Eugene Martin, a newspaper carrier who disappeared into thin air on a city street corner in August of 1934, one month before he came on board.

Martin was the second boy to disappear. The first, Johnny Gosh, vanished from a Des Moines suburb in 1932. Neither case has been solved.

"We put an unbelievable amount of resources and talented people into that investigation," he told LEN. "It was a real blow to the ego to police officers who believe that given enough resources, enough time and enough reward, we can solve any crime. We don't even have a clue as to what happened on this one. [You] just grind your teeth," said Moulder. "That's an organizational disappointment that took place."

Des Moines officials have launched a national search for a successor. Moulder, whose last official day on the job will be May 2, said he has spoken with some of the candidates.

"The only real advice I'd give to any police chief new to the business is that they remember they are the chief of the organization, they run the place," he said. "I've seen folks who don't do that.

They wait for someone else to make a decision. They don't do the organization any good when they do that."

"The chief of police has to be an arrogant bastard," Moulder laughed. "We get there because we have big egos, and we do a pretty good job because we have big egos."

A cure for their ills

Schenectady, N.Y., officials believe they have found in **Michael Geraci**, deputy police chief in neighboring Colonie, the law enforcement leader who can turn the city's troubled police department around.

Geraci, 50, was sworn in on Sept. 10. His is the second appointment made by Mayor **Alber J. Jurczynski** in an effort to fix an agency that has seen four of its 170 members sent to prison on corruption charges this year and its long-time chief demoted. This past summer, **Daniel Boyle**, a former deputy chief of the Syracuse Police Department, was named to the new post of public safety commissioner.

"He certainly has a very impressive résumé, and I know he has had some impact in Colonie," City Councilman **Mark Blanchfield** said of Geraci. "His credentials seem to be stellar."

A 24-year law enforcement veteran, Geraci began as a patrolman in Colonie in 1978. In 2000, he was made deputy chief.

In remarks made during his swearing-in ceremony, Geraci made it clear that he would accept nothing less than professionalism. "Anything less is unacceptable," he said. "I won't accept shortcuts or abuse of power. Courtesy and respect is what is expected."

While he declined to get into specifics about his plans for the agency, Geraci said he believed the number of officers who have sullied the reputation of the Schenectady force to be small.

"If you took a graph of the bad things about this force compared to the good things," he told The Albany Times Union, "it wouldn't even appear on the chart."

Geraci succeeded **Gregory Kaczmarek**, who was knocked down to assistant chief in lieu of being fired. **Jack Falvo Jr.** had been acting chief since March. Assistant Chief **Mark Chaires** was promoted to first assistant chief.

Chiefs' chief

Developing strategies that bring law enforcement and private sector security together in the fight against terrorism and forging stronger collaboration among police agencies in the furtherance of legislative goals are among the key initiatives planned by the new president of the International Association of Chiefs of Police, **Richmond, Calif., Police Chief Joseph Samuels**.

"This is a great time to be a member of this noble profession," Samuels said during his inaugural address at the IACP's conference in Minneapolis this month. "From the seeds of despair created initially by the events of Sept. 11, can come gardens of hope. We are faced with extraordinary challenges but we

are not ordinary people.... Law enforcement officers around the world have proven over and over again how we embrace the notion of public service in its ultimate form — personal sacrifice, so that others might live," he said.

Although born on the East Coast, Samuels has spent his policing career in California. He joined the Oakland Police Department in 1974 and left in 1991 when he was appointed police chief of Fresno. He led that agency for 22 months before he returned to Oakland to become that city's first black police chief. Samuels, who joined the IACP board of officers in 1997, took over the organization's reins from **William B. Berger**, the police chief of North Miami Beach, Fla.

A graduate of the FBI's National Executive Institute, Samuels also holds a master's degree in public administration from California State University-Hayward.

Securing federal financial assistance and resources for state and local law enforcement agencies is a top legislative priority, said Samuels. He also plans to make a concerted effort to reach out to other major law enforcement organizations to identify shared legislative interests and advocate for them collectively.

"Law enforcement works best when it works together," said Samuels.

New to the group's board is **Russell B. Laine**, chief of the Algonquin, Ill., Police Department, who was elected sixth vice president.

A 32-year law enforcement veteran, Laine has spent all but 10 of those as a police chief. He also holds a law degree and serves on the FBI's Law Enforcement Advisory Committee, a group that reports directly to Director **Robert S. Mueller III**.

Familiar face

Although they had a field of 24 applicants, town officials in Sanford, Maine, this month chose a familiar face as police chief.

The Board of Selectman picked **Maj. Thomas H. Jones**, a 30-year veteran, on Oct. 15 to succeed **John E. Granfield**, who had served six years as chief before becoming town administrator last month.

Granfield said of Jones: "He knows the town, he's familiar with the management of the department, all the troops know him and have a high regard for him."

Jones was named commander of the department's operations bureau in 1994, having returned to law enforcement after a few years in the private sector. He began his career in Farmington, and then served as chief of the Standish Police Department in 1987.

The appointment of Jones was particularly pleasing to Selectman **Gordon Paul**, who preceded Granfield as chief and had originally brought Jones on board. "I have a great deal of personal satisfaction and pride seeing him attain something he's always wanted to do," he told The Portland Press Herald. "He's very educated. He has a good touch with the public and the people and I think he'll do a fine job."

Jones said the department is in good shape and he does not foresee any major changes.

So long, Santiago

Despite a rocky start, it had seemed as though **Joseph J. Santiago**, the latest police executive to lead the fractious New Jersey State Police, was making some progress. But when reports surfaced this month of his alleged friendship with an organized-crime figure, among other issues, state officials decided to bid farewell to the agency's third superintendent since 1998.

Santiago, 55, stepped down in October. His departure was requested by Gov. **James E. McGreevey**, according to a source cited by The New York Times.

The second consecutive outsider to head the 2,800-trooper force, Santiago succeeded former FBI agent **Carson J. Dunbar**. Although his nomination in January was fiercely opposed by the troopers' unions, Santiago was narrowly confirmed by the Senate Judiciary Committee two months later. Among the objections raised at that time were a personal bankruptcy in 1992, a misdemeanor assault charge in 1994 and questions about his financial dealings in a sideline business he ran while director of the Newark Police Department.

During this latest and last controversy, a State Police organized-crime investigator said he had been told by an informant or informants that Santiago had spoken with Newark-based mob figure **Pete Caprio** about taking care of those investigating him once he became head of the agency. According to an internal memo dated Feb. 3 that was obtained by The Bergen Record, the organized-crime investigator, **David Kushnir**, told Maj. **Frank Simonetta** that while the information had not been investigated to date, some of the threats had been corroborated and were credible. He insisted that Simonetta share that knowledge with lawmakers voting on Santiago's confirmation.

Judiciary Committee members, however, said they were never supplied with the information. McGreevey said that when investigators refused to reveal their sources, the matter was dropped because the attorney general found the allegations "baseless."

The other issue that led to Santiago's departure involved his request that investigative files gathered by the State Police prior to his nomination be turned over to him. In a memo, he ordered the head of the agency's Investigations Bureau, **Maj. Kenneth C. Hess**, to divulge who authorized, conducted and knew about the investigation of him and his command staff.

An investigation was launched in 2001 during the final weeks of Santiago's tenure in Newark into allegations that police were protecting illegal gambling establishments. State Police Det. **Matthew Wilson** received a tip that Santiago's civilian assistant was involved in a scheme to provide police protection to liquor stores and social clubs operating illegal gambling machines.

Santiago said he did not act improperly when he requested the investigative files. He had asked for them, he said, because of a lawsuit filed by an officer who claimed to have been transferred because of his part in investigating some of Santiago's assistants.

Santiago said that while he got clearance to obtain the files, they never reached his desk.

McGreevey had ordered the attorney general's office to investigate disclosures made by investigators to newspapers about Santiago's alleged ties to Caprio, and had ordered the Office of Government Integrity to determine whether any laws or regulations had been violated by Santiago's request for the information.

Santiago said he was disappointed that the McGreevey administration, which had fought hard for his confirmation, did not back him in the most recent battles. McGreevey's statements that the allegations of mob connections were "wholly without merit" and that accusations of an improperly quashed investigation were "rumor and innuendo" were too little, too late, the former superintendent said.

"This is not a religious endeavor," Santiago told The Times, "but I don't know that anybody's ever going to do this again."

Quick outs

Given a brief window of time in which to make changes, acting Providence, R.I., Mayor **John Lombardi** replaced the city's public safety commissioner and ousted its interim police chief last month.

Col. **Richard Sullivan**, who temporarily succeeded **Urbano Prignano** nearly two years ago after it emerged that the former chief prior helped some officers cheat on promotional exams, was demoted to his previous rank of major. Major **Guido Laorenza**, a 29-year veteran, was named chief in his place.

"I was not given an explanation as to why I was removed," Sullivan told The Associated Press. "I feel I should have been afforded one." Sullivan found out about his removal over the radio.

Lombardi tapped Lieut. Gov. **Tom DiLuglio** as commissioner after the resignation on Oct. 3 of **John Partington**. Partington had had a dispute with Lombardi over the handling of an internal investigation into promotional exams, among other police matters.

Said Lombardi: "This isn't a knock to anyone. We just needed to make a change."

Lombardi, a former City Council president, became acting mayor after the resignation in September of **Vincent Cianci Jr.**, following his conviction on corruption charges. Lombardi, who is not running for office, will finish his term in January when a new mayor is elected.

The new law enforcement leaders are not supported by Democratic mayoral candidate **David Cicilline**, who is widely expected to win the November election. While acknowledging that Lombardi had the right to make the appointments, Cicilline said they will "not have a perceptible impact" of moving Providence forward. Sullivan, who had been a frontrunner in the city's nationwide search for a permanent police chief, will not be considered for the post by Cicilline. Part of that is due, the candidate said, to the police department's inability to provide information to authorities for a racial profiling study.

Inadequate training & planning heighten schools' terrorism risk

Limited counter-terrorism training conducted by outside agencies, coupled with inadequately tested crisis plans, have left the nation's schools vulnerable in the event of an attack, according to a survey released last month by the National Association of School Resource Officers.

Among the key findings of a questionnaire distributed to attendees at the group's conference last July was that nearly all of those who responded said their schools were unprepared for a terrorist attack. Nearly two-thirds described them as "somewhat vulnerable," and another 32 percent called them "very vulnerable."

Of the 658 NASRO members who responded to the survey, only 22 percent said they felt "very prepared" as a first-responder. More than half said they had not received training in counter-terrorism that was specifically geared to their role as a school resource officer, and 82 percent said in-house security personnel had not received any terrorism-specific training.

School crisis plans were also given a failing grade, with 52 percent saying

that such strategies had never been tested and exercised. In schools that did conduct drills, 62 percent of respondents deemed the testing inadequate.

Fifty-five percent said their schools had no mail handling procedures to reduce the risks from anthrax scares, suspicious packages and other concerns. Ninety-six percent described access to building grounds during school hours as very easy or somewhat easy.

"The most critical lesson learned from 9/11 is that training and preparedness saves lives," Curt Lavarello, NASRO's executive director, told *The (Baton Rouge, La.) Advocate*. "Our federal and state governments must partner more closely with local school districts and their school police officers in order to have truly comprehensive homeland security planning."

At Allen High School in Dallas, there are digital cameras in the parking lots, a crisis plan and nine officers trained to deal with "single shooters, multiple shooters, hostage situations or whatever it is," reported school resource officer Carl Osburn. "We have to do the training for everything."

Not everyone agrees, however, that the school resource officer's job is terrorism preparation. Mayor Mark D. Benigni of Meriden, Conn., who is also an assistant principal at Berlin High School, told *Law Enforcement News* that the officer's job is to "provide the three-pronged approach of law enforcement, law-related teaching and law-related counseling."

Said Benigni: "I think having the SRO in the school is a help to the school, but by no means can one individual or a couple of individuals be expected to handle a terrorist attack."

At this point, he noted, funding should be spent on educational resources rather than on the threat of terrorism. "I think our focus needs to remain on providing quality education for all students," said Benigni.

According to the NASRO survey, nearly one-third of respondents reported that their opportunities to attend specialized training in such topics as adolescent child behavior, counseling skills and school crisis planning had decreased since Sept. 11.

Nearly half said they had never

We have you on visual

A \$1.4-million initiative in the Morgantown, W.Va., school system will link cameras in 11 high schools and middle schools to a 911 dispatch center within the year.

Project SAFE, for School Action for Emergencies, grew out of annual drills that simulated such events as a mass illness among students, or an intruder situation, said Harrison County Superintendent Carl Friebe. But when the massacre at Columbine High School in Colorado occurred three years ago, it "threw everything into a whole other dimension," he told *The Charleston Gazette*. First-responders found themselves without floor plans in a building that had been remodeled.

The cameras could feed images from inside the school to emergency operators and wireless laptops in the vehicles of first responders. While

Friebe would not say how many cameras are in each building, the Bridgeport Middle School alone has 16, *The Gazette* reported. Each will carry an identifying number so that officials will know where and what type of event is occurring.

Other school districts, including those in Amarillo and Houston, Texas, and in Santee, Calif., have similar projects underway. The Harrison County district will be studied for three years by researchers at West Virginia University. If the initiative is successful, it could serve as a national model, said Friebe.

Friebe said students will not notice the difference. The system is only to be used in case of emergency.

"We know realistically, we can never guarantee anyone's safety," he said. "We're trying to bend the odds in our favor."

heard of reports issued by the Secret Service on assessing and managing school violence, and 72 percent felt the FBI was not helpful in the day-to-day work of the school resource officer.

Almost all the officers queried said they believed school violence was

underreported to police. Eighty-five percent said they did not believe statistics from the U.S. Department of Education indicating that 90 percent of schools have no serious violent crime, and that 43 percent of schools have no crime at all.

A clerical error turns lethal:

Trooper in suicide over traffic-stop mistake

In an unusual move that spoke to the extraordinary circumstances surrounding the suicide of a Nebraska state trooper on Sept. 27, state police officials this month chose to honor that death as if it had occurred in the line of duty.

A full-dress funeral attended by officers from around the state was held on Oct. 2 for Mark Zach, 35. According to authorities, Zach was distraught because he believed that a clerical error he had made the previous week contributed to the murders of five people during one of the nation's deadliest bank robberies.

The holdup on Sept. 26 at a U.S. Bank branch in Norfolk occurred shortly before 9 a.m. Norfolk police Capt. Steve Hecker, describing what he saw on surveillance videotapes, testi-

fied at a court hearing that the four gunmen spread out as they entered the bank, with two going to offices on either side of the entrance and a third to the tellers' counter. Then the men hurdled the counter. Only one of the murders was actually captured on tape. In all, four employees and a customer were shot in the head, all within 40 seconds.

After they broke the bank's glass door and fired into a Burger King next door, the gunmen stole their getaway car, a white Subaru, from a house they broke into near the bank.

Police captured three of the suspects, Erick Fernando Vela, 21, Jose Sandoval, 23, and Jorge A. Galindo, 21, less than 100 miles from Norfolk in the town of O'Neill. Another suspect, Gabriel Rodriguez, 26, was caught the

next day. They are being held on five counts of first-degree homicide. The victims were Lola Elwood, 43; Jo Mausbach, 42; Lisa Bryant, 29; Samuel Sun, 50; and Evonne Tuttle, 37.

A week earlier, Zach had stopped Vela and given him a ticket for carrying a concealed weapon. However, in filing his report he had inadvertently transposed two of the gun's serial numbers, and thus did not learn that Vela's firearm was stolen — an offense that would have put him in jail instead of back on the street.

Said State Patrol Capt. Brad Rice: "Mark was always professional. He was very detail-oriented and took great pride in how he did his job."

Holding an official line-of-duty funeral service for an officer who has taken his own life is highly unusual.

While friends and fellow lawmen contend that something in addition to the bank robbery must have pushed Zach over the edge, his devastation was obvious, a patrol spokeswoman told *The Omaha-World Herald*.

Zach's anguish prompted commanders to offer counseling, the spokeswoman said. And on the day of Zach's death, his closest co-workers were required to talk with a grief counselor.

"Suicide is the epidemic of our law enforcement, and we don't even talk about it," said Robert Douglas, a retired officer who heads the National Police Suicide Foundation in Maryland.

According to the FBI, 22 out of every 100,000 officers commit suicide — twice the rate of the general population and double the number killed in the line

of duty each year.

"The requirement of the job is to keep going, stay tough," said Bellevue, Neb., police Lieut. Chuck Clark, a peer counselor for officers. "We have this team camaraderie that we can handle this. They're worried they'll be seen as less of an officer if they can't."

Law Enforcement News

*Founded 1975.
A publication of John Jay College
of Criminal Justice,
City University of New York.
Gerald W. Lynch, President*

Marie Simonetti Rosen
Publisher

Peter C. Dodenhoff
Editor/Associate Publisher

Jennifer Nislow
Associate Editor

Nekeela Trechier De-Haarte
Subscriptions

Nancy Egan
Contributing Writer

Correspondents: Walt Francis, Tom Gitchoff, T.L. Tyler, Ron Van Raalte.

Law Enforcement News is © 2002 and published twice monthly (once monthly during July and August) by LEN Inc. and John Jay College of Criminal Justice, 555 West 57th Street, New York, NY 10019. Telephone: (212) 237-8442 Fax: (212) 237-8486 E-mail: len@jjay.cuny.edu. Subscription rates: \$28 per year (22 issues). Advertising rates available upon request.

Requests for permission to reprint any portion of Law Enforcement News in any form should be addressed to Marie Simonetti Rosen, Publisher. ISSN: 0364-1724. Law Enforcement News is available in microform from University Microfilms Inc., 300 North Zeeb Road, Dept. P.R., Ann Arbor, MI 48106.

Fires of outrage:

Arsons target neighborhood anti-drug activists

Maryland officials in October said 150 troopers would be provided to patrol Baltimore's thoroughfares in the aftermath of an arson that took the lives of a local anti-drug activist and her entire family.

The fire that caused the deaths of Angela Dawson, her husband, and the couple's five children on Oct. 16 was at least the second in the nation in a five-week span to have been set in retaliation by drug dealers. Toni Henderson, a Greensboro, N.C., woman, woke up on Sept. 12 to find a fire eating away the deck on her duplex.

"There's a lot of money and a lot of drugs and [the dealers] are very angry," she told *The Durham Herald*. "But it makes me more determined." Henderson has handed out fliers to drug dealers in her neighborhood stating that crack selline would not be tolerated in the community.

Like Henderson in Greensboro, the 36-year-old Dawson had been known in her East Baltimore neighborhood as an anti-drug crusader. Neighbors said that dealers did not appreciate her efforts to have them removed from the corner where her house stood, and had threatened her in the past.

On Oct. 3, the Dawsons' house was firebombed. Police offered protection, but the family refused.

"She was a concerned mother, just like us all," Gerlena Jackson, the Dawson's next-door neighbor, told *The New York Times*. "She stood up to them. She didn't want them around her kids."

The lethal blaze on Oct. 16 broke out at 2:30 a.m. According to authorities, the suspect, Darrell L. Brooks, kicked in the front door, poured gasoline, and ignited it. Brooks, 21, a neighbor who once held a job as a clerk for the City Council, is being held without

bond on six counts of first-degree murder, arson and other charges. Cornell Dawson Sr., 43, had initially survived the fire by jumping out the window, but died of his injuries on Oct. 24.

In Greensboro, LEAD Team Officer David Lydrup said the department has taken steps to prevent something worse from happening to Henderson. It has sent in its Crime Abatement Team, a plainclothes unit that addresses issues and concerns in particular communities. Police have also gotten other city agencies involved, including the fire department and those responsible for code enforcement, zoning and parking.

"I've talked to the lady this happened to, and I think she's been happy with the results, but it's a slow-moving process because it's been a problem for the area," Lydrup said in an interview with *Law Enforcement News*. "You can arrest people for drug issues, but unfortunately, while I wouldn't say the

penalties aren't strict enough, that's basically what it boils down to. Some of these people get out before you're done with the paperwork."

Without community involvement, said Lydrup, it is virtually impossible for police to turn around troubled-plagued areas.

"We love it when people want to work with us," he said. "We can't guarantee protection or anything like that, but to clean up neighborhoods, we really need community policing where we work in close interaction with people."

While Lydrup believes that the fires in Baltimore and Greensboro are isolated incidents, there is concern, he said, that residents will pull back their involvement in crime-fighting efforts.

"As best we can, we're as vigilant of a situation as possible," said Lydrup. "Here in Greensboro, at least, we are addressing the concerns with as many resources as we can offer."

Anti-drug citizens with media savvy

Armed group patrols Mex border

After seizing 280 pounds of marijuana this month from smugglers near Lochiel, Ariz., the first telephone call made by members of an armed citizen patrol group was not to law enforcement, but to the local news media.

"I'm sure they wanted to get some mileage from it," said Santa Cruz County Sheriff Tony Estrada, in an interview with Law Enforcement News. "Their agenda is not to help us, but to embarrass us."

The group, Ranch Rescue, was formed in 2000 by Jack Foote of Ahilene, Texas, who had been inspired by the exploits of Roger Barnett, a rancher in Cochise County, Ariz. Over the past four and half years, Barnett and his brother, Donald, have patrolled their 22,000-acre spread near Douglas, and claim to have detained at least 8,000 illegal aliens and turned them over to the U.S. Border Patrol.

Those who "get mouthy" with them, Barnett told *The New York Times*, are subject to physical aggression by the ranchers. "If you go out there, and you're not armed, you're a fool," said Barnett, who carries a 9mm. pistol for protection. "Who's going to protect you out there?"

According to Estrada, some 50 to 60 armed, camouflage-wearing members of Ranch Rescue stayed on a ranch in Lochiel from approximately Oct. 13 through Oct. 20. Authorities have yet to determine whether the group was invited to stay or invited itself. During their stay, they apparently ran across four backpackers crossing the property at about 3 a.m. on Oct. 16. They called out to them in Spanish to stop, said Estrada, and the men dropped their bundles and headed back across the Mexican border. At 6 a.m., he told LENO, the group called the print and broadcast media in Tucson.

"We weren't aware of it till we got

a call from somebody up at Channel 4 in Tucson who inquired as to who was handling the drug bust," said Estrada. "We started checking. We checked with Customs and they didn't know anything about it."

The smugglers dropped 13 burlap-wrapped bundles of marijuana. Later that day, at roughly 2 o'clock, he said, one of the Ranch Rescue members flagged down a deputy and led him to the San Antonio ranch where some 20 heavily armed citizens told him what had happened. The officer called the Santa Cruz Metro County Task Force, a multi-agency, multi-jurisdictional unit that deals with cases involving drugs, gangs and money laundering. They took possession of the case, said Estrada.

He questioned the 18-hour lapse between the time the marijuana was dropped and when Ranch Rescue contacted the sheriff's department. And the bundles, Estrada noted, had been moved to a place near the ranch house.

"Obviously they wanted the impact of this particular event to reflect favorably on their presence, and they wanted the media there before we got there. It could have been handled much better," Estrada told *The Associated Press*.

As far as he knows, that was the group's only encounter in his jurisdiction.

"One of the things that are of concern is that these people who are in organizations, caravels or groups that are moving either people or drugs all acknowledge and accept the risk of law enforcement intercepting loads, but they may have a real problem with civilians getting in the way," he told LENO. "That was a bad mixture there, and we were afraid something would happen. Fortunately, they weren't here long enough, they didn't make contacts, so that didn't become a problem, and they eventually left."

Federal File

A roundup of criminal justice developments at the federal level.

True Lies

A report by the National Research Council this month which found polygraphs to be an unreliable means of ferreting out spies and assessing national-security risks may not be exactly a death blow, but security experts say it will serve to undermine faith in a method widely used by federal agencies.

The 245-page report is not the first to question the validity of the science behind polygraphs, but it is the first by the National Academy of Sciences, of which the NRC is a part. Measuring the pulse and breathing rate of subjects, the report said, had some usefulness in investigating some crimes, but too often flagged innocent people who were exhibiting signs of hate, anxiety and other emotions. Researchers made their evaluations based on previous studies of polygraphy and visiting centers where such tests were conducted.

An earlier study by the now disbanded Congressional Office of Technology Assessment found in 1983 that spies in particular would be able to beat a polygraph because they "may well be the most motivated and perhaps the best trained to avoid detection," it said.

One of the problems noted was that polygraph technology tended to rely on outdated physiological signs. Monitoring brain waves and the heat changes in a person's face, new methods of measuring distress, have not been applied. The panel, however, did not find any of these "ready for prime time," said Marcus E. Raichle of the Washington University Medical Center, who served on the 14-member panel.

Expert Assistance

Each of the 94 U.S. attorney's offices nationwide will soon be adding a terrorism expert to its staff, under a mandate from the Justice Department. The position, which pays between \$54,275 and \$70,555 a year, calls for someone with a minimum of one year's experience in intelligence or terrorism-related work, and who will be eligible for "Top Security" clearance. The specialists' responsibilities will include conducting research into terrorists and their activities; disseminating information to local law enforcement; and aiding the anti-terrorism task forces in each prosecutorial district, according to a posting on an Internet site.

Back to Work

Hoping to tap into a wealth of experience in counterintelligence, FBI Director Robert S. Mueller III has initiated a program whereby recently retired agents will be rehired on a temporary basis as special consultants. A call in June for agents who have retired in the past five years has yielded dozens of responses, according to Scott Erskine, director of the Society of Former Special Agents of the FBI. There could be as many as 200 to 500 candidates for the program, he told USA Today. An added draw would be a salary of up to \$86,000 a year, which the ex-agents, as temporary employees, would be able to collect on top of their federal pension benefits.

Taking Flight

The air marshals program has taken a bite out of the number of agents assigned to the Border Patrol's Tucson and Yuma sectors, according to official figures released this month. Of the 1,574 agents in the sector, Tucson was down by 139 at the end of the past fiscal year which ended Sept. 30. The Yuma division was down by 37 agents, with 30 of those lost to air marshal jobs. The figure nationwide

is 750, according to a BP spokesman in Washington.

While the impact of the Transportation Security Administration program has been felt by federal law enforcement agencies across the country, the Border Patrol has been particularly hard hit, said Kevin M. Gilmartin, a law-enforcement behavioral scientist from Tucson. Other factors that have contributed to a decline in personnel include boredom and frustration, said Edward "Bud" Tuffly, president of the Border Patrol agents' union in southern Arizona.

Fighting the Bureaucracy

A group of four black FBI agents and one Hispanic agent filed a federal discrimination lawsuit against the bureau in September, claiming that supervisors prevented them from following up on leads in high-profile cases, including the terrorist attacks of Sept. 11, 2001.

Agents Wilfred Baptiste, Kendall Hobson, Paul Sutherland, Nathan Tucker and Carlos Luquis all worked at the FBI's New York field office as part of a squad that tracked down fugitives. According to their complaint, filed in the Federal District Court for the District of Columbia, the squad's supervisor, Mark Paridy, denied the men cash awards and commendations and denigrated their work. He also secretly monitored their voice mails and assigned them tasks generally given to junior agents, they said.

In one incident, recounted by the agents in a letter sent to Director Robert S. Mueller III and several lawmakers, photographs of the men were pinned on an office bulletin board known as the "wall of shame" where pictures of gang members and criminal suspects were posted. Under the agents' faces, someone had hand-drawn warm-up suits and medallions. A caption written underneath said: "Whiners."

In another complaint, the agents said they were criticized for spending too much time outside of the office, when in fact they were pursuing a promising terrorism lead against an unidentified Pakistani. White agents, they said, were not reprimanded.

Atom-Spotting

As part of a program jointly administered by the U.S. Department of Energy and the Justice Department, surplus radiation-detection equipment, including hand-held dosimeters, filtering systems, glove boxes and monitoring equipment, will be distributed to local law enforcement agencies. Initially, the devices will be made available to states with the nation's 10 largest metropolitan areas: Boston, Chicago, Detroit, New York, Philadelphia, Los Angeles, San Francisco, Washington, D.C., Dallas and Houston. Police, fire officials and others first responders will be trained in how to use the equipment by federal agencies and the Health Physics Society, a private organization of radiation safety professionals.

Fair Share

For the first time ever, in a pilot program unveiled Oct. 9, FBI data will be entered into a database along with investigative information from state and local sources. The Gateway Information Sharing Project uses a secure Internet connection to link data from law enforcement agencies in the St. Louis area. Its first phase will coordinate data from the bureau's St. Louis field office, the city's Metropolitan Police Department, and the Illinois State Police. Investigators will be able to search the text of investigative records for names, addresses, phone numbers, scars, marks, tattoos, weapons, vehicles and phrases. Each agency that enters data will be able to access it through four levels of security access. If successful, the Gateway project is expected to serve as a national model.

Crown Vic explosion claims another

Just hours before a federal judge ordered on Oct. 22 that all class-action suits involving Ford's Crown Victoria Police Interceptor be centralized in federal court in Cleveland — a move that paves the way for the proceedings to move ahead — another police officer died when his cruiser was struck from the rear and exploded.

The death last month of off-duty Dallas officer Patrick Metzler, 31, is believed to be the 13th in the nation to occur after a Crown Victoria was

smacked from behind since 1983. Nine officers have also been seriously injured in fuel-fed explosions and fires.

The latest incident happened when a sport utility vehicle slammed into the back of Metzler's Crown Victoria as he drove slowly along Dallas's Central Expressway, escorting a large truck with lighted arrows to help divert traffic from a closed lane. Both vehicles exploded; the officer died at the scene.

The driver of the SUV, Jeffrey Goddard, 23, was hospitalized with a

broken hip and was booked on suspicion of intoxicated manslaughter. Witnesses reportedly told police that Goddard's Jeep had been swerving and traveling above the speed limit.

Metzler's cruiser had reportedly undergone modifications recommended by Ford in a Technical Service Bulletin, including the installation of a shield surrounding the gas tank in order to prevent punctures should the car be hit.

[See related LENO articles, Sept. 15, 2002; Oct. 15, 2002.]

Free Technical Assistance for Establishing College-Degree Personnel Standards for Policing

PACE — the Police Association for College Education — is a nonprofit organization dedicated to improving policing by achieving a nationwide minimum educational level of a four-year college degree for officers, as recommended by national commissions and the federal courts.

We provide FREE technical aid to help your agency attain this goal, and thereby increase quality professional service and reduce liability. To learn more, contact:

Police Association for College Education, Inc.
5200 Leeward Lane, Alexandria, VA 22315
Tel.: (703) 971-7935. Fax: (703) 922-2768
E-mail: loumayo@police-association.org
Web: police-association.org

Available early 2003:
"Successful Strategies for Recruiting College-Degreed Officers"



Houston PD wants Copwatch on its side

Although police in other cities with chapters of the citizens group Copwatch have found members to be unwilling to work with law enforcement, the Houston Police Department is optimistic that it can develop with Copwatch the same type of relationship it has with other organizations that often monitor police activities.

Houston Copwatch was formed in September and began patrolling city streets this month, looking for instances of brutality, misconduct and other abuses of power. In a letter to more than 20 law enforcement agencies in Harris County, Copwatch organizer Ernesto Aguilar requested that police respect the group's democratic rights by not intimidating or harassing members while they videotape or document officers' interactions with the public.

"Our concern is that officers will not take kindly to what we're doing," he said. "We're not out to cause a fight. We're there strictly to observe."

A national organization with chapters in Portland, Ore., and Seattle, among other cities, Copwatch promotes itself as a nonconfrontational group

whose members are trained to help defuse situations in which officers may become upset by their presence. Said Aguilar: "Our goal is not to return aggressiveness with aggressiveness. If you want revenge on a police officer, or to get in a fight with a police officer, this is not the organization for you."

Yet the group's Web site offers do-it-yourself hints on the best way to plaster a city, in this case Seattle, with handbills; refers in derogatory terms to individual officers and to the "innate cowardice and lack of humanity" of the department's personnel in general. One poster available for downloading calls the Seattle Police Department "among the worst police departments in the nation" and compares its "blue wall of silence" to the "Mafia's code of omerta." Most SPD officers, it said, are "uneducated and dangerously undertrained." And Washington State troopers are referred to as "avaricious" and "manipulative," among other slurs.

Officer Brian Schmaltz, a spokesman for the Portland Police Bureau, told Law Enforcement News: "They actively believe that law enforcement is

involved in inappropriate use of force, they're very critical of law enforcement. They don't seem very interested in an ongoing dialogue to improve police community relations because they have a very myopic view of the way things should go. Basically, they think we're wrong, and we abuse our power and that's that. We don't see them changing."

The Houston Copwatch Web site makes references to recent controversial cases, such as the deaths of Luis Torres, a Mexican national who died in January after struggling with Baytown police, and Christopher Menifee, who was fatally shot in July by a Harris

County sheriff's deputy.

"Harris County has a long, ugly history of police brutality and misconduct," the site said.

Alvin Wright, a spokesman for the Houston Police Department, does not deny that the city has a history, but told LEN that those types of incidents no longer occur.

"Organizations like that have a right to do what they want to do, and to say what they want to say, but I think if you're going to have a dialogue, it has to be a two-way street," said Wright. "That's the one thing we've been successful with in the past in our department: working not just with groups like

Copwatch, but with the NAACP and the ACLU."

Although the police department has not yet met with members of Copwatch, it expects to "peacefully co-exist" with the group, he said.

Houston provides a high level of diversity and sensitivity training, said Wright. And the city itself is far more diverse than many in other parts of the country imagine it to be.

"They look at Houston as a cowboy town, a bunch of hicks, and that's not true," he said. "This is a city that collectively does work together very well. All organizations work well with the police department."

LA transit pickpocket squad targets 'bumpers & grinders'

While their squad is still called the Pickpocket Detail, officers assigned to an undercover unit of the Los Angeles Metropolitan Transportation Authority police cuff a lot more perverts on the city's buses than they do thieves.

The six-member squad, which was created three years ago by the MTA, is believed to be the only one in the nation that sends police out to actively look for gropers and fondlers. According to MTA statistics, officers have made 140 arrests for sexual offenses — 62 so far this year, 44 in 2001, and 21 in 2000. In fact, they make four sex-offender arrests for every one for pickpocketing.

The type of sex offenders most often caught are those who like to rub up against unsuspecting women. Other cities have taken steps to warn passengers about perverts on public transportation, too. In Tokyo, whose subways have a worldwide reputation for packing passengers in like sardines, some cars have been set aside for female riders to es-

tablish a kind of grope-free zone.

New York City police made more than 400 sex-crime arrests last year on the subway; 285 involving acts of public lewdness. Such conduct is discouraged by a strong uniformed presence on platforms, said Chief Ronald Rowland of the NYPD's transit bureau.

In Los Angeles, all of the offenders arrested have been male, ranging in age from 17 to 82. An estimated 80 percent are married with children. The arrestees have included a West Los Angeles gynecologist who was busted twice, a teacher's aide, and a North Hollywood pastor who has been picked up three times. Most are charged with misdemeanor sexual battery if the victim is an adult, and felony lewd conduct if the victim is under 18.

The clinical name for the behavior is frottage or frotteurism, a compulsive urge to engage in "touching and rubbing against a nonconsenting person," according to the American Psychiatric Association's Diagnostic and Statisti-

cal Manual of Mental Disorders

It "is a very impulsive behavior, frequently not planned...and it has an aggressive component to it," said Martin Kafka, a psychiatrist and a clinical assistant professor at Harvard Medical School, in an interview with The Los Angeles Times.

Without intervention in the form of cognitive behavioral therapy, antidepressants and drugs that reduce the sex drive, these men commit the same actions repeatedly.

When booking suspects, officers often find a criminal history of deviant sexual behavior such as rape, child molestation or voyeurism. First-time offenders are usually placed on probation and sent for treatment, and repeat offenders or felons, to prison.

"The 'bumper and grinder'...that's a person who we can have an 'Amber alert' on three years from now," said Paul Lennon, the MTA's chief of security and law enforcement. "Take them off the street before they escalate."

For light reading, some just can't beat the local police blotter

The residents of Piedmont, Calif., take their police blotter seriously. So when a new computer system implemented by the police department in August forced the town's local newspaper to do away with some spice-of-life entries as a report about a neighbor's overly loud wind chimes, or the hazard of a portable toilet knocked over into the street, the public reaction was as swift as it was negative.

"Our primary concern was user-friendliness for the dispatchers," explained Capt. John Hunt. "To be honest, we didn't really think about the public log. We knew we could print out. We didn't know what it would look like."

What the new version of the police blotter looked like was not what the residents of the Oakland suburb had come to expect from the "PPD Blue" column of the weekly Piedmont Post and its rival, The Piedmonter, which chronicled the foibles of daily life. The outcry was immediate.

"Police Department changes public log," ran a front-page headline in The Post. The newspaper's publisher, Gray Cathrall, called it a First Amendment issue.

"Any time Piedmont or any other police department chooses to withdraw or delete or diminish the amount of news being given to the public, it's bad for the community," he told The New York Times.

The computer system that had served the police department since 1989 allowed police to delete victims' names and the identities of juvenile offenders automatically from the public log by using brackets. The log would then be distributed to reporters.

But the new software had no such feature. Rather than issue blotter entries with the names included, police were forced to withhold the narrative. Instead of the intricate details of a petty crime such as the theft of a pumpkin, the new blotter read coldly: "Wed. Ag. 28, 9:15

p.m. Grand Theft; report taken. Sat. Ag. 17, 10:13 p.m. Residential Burglary; report taken. Thurs. Ag. 22: Suspicious circumstances; report taken."

Not all is rosy in Piedmont, of course. There was a murder in 2000, and a combined home invasion, rape and attempted murder in 1998. Yet the town of 10,800 has the lowest crime rate in Alameda County.

Said Harry Harris, a veteran police reporter for The Oakland Tribune, there are not that many funny entries in his paper's log. Harris said he has covered 88 murders this year.

The new software's cursory and unengaging entries took Police Chief John Moilan as much by surprise as it did residents. "People were used to having more information and, frankly, we want them to have it," he said.

Last month, the department came up with a compromise. A full 40-page internal log will be distributed once a week to the newspapers, with the names to be withheld blotted out with a felt-tip pen until the system can be tweaked.

"PPD Blue" is not the only blotter around that covers minor offenses in an irreverent manner, or "celebrate[s] the ridiculous," said Kevin J. Hoover, editor of The Arcata (Calif.) Eye.

Hoover started the weekly in 1995 after the demise of The Arcata Union, the paper for which he wrote a police log. An entry in The Eye which described the exploits of some naked trick-or-treaters last Halloween read this way: "A half-dozen near-naked dudes/were out trick-or-treating all nude./A cop found the lads/Somewhat scantily clad/And sent them away freshly clued."

As in Piedmont, violent crime in Arcata is not common. There was only one attempted murder last year, and no homicides.

"If there's a family problem or...any kind of real violence, obviously that's not very funny," Hoover told The Associated Press.



Search party

Law enforcement officers search the Chevrolet Caprice in which John Allan Muhammad and John Lee Malvo were sleeping when police arrested them at a truck stop near Myersville, Md., on Oct. 24. Muhammad and Malvo are the prime suspects in a three-week murder spree in Maryland and Virginia that left 10 people dead.

(Reuters)

Intimate partners prove deadly for women

Nearly every day of the year in 2000, a woman was fatally shot by either her husband or boyfriend during the course of an argument, according to a survey released this month by a gun-control advocacy group.

In the report "When Men Murder Women: An Analysis of 2000 Homicide Data," researchers at the Violence Policy Center in Washington, D.C., found that of the 1,805 women killed in the United States that year by a single male offender, 62 percent were wives or intimate acquaintances of their killers — nearly 11 times the number that were killed by male strangers. Fifty-two percent of the homicides were committed using a firearm, and in three-quarters of those, a handgun was used.

The study was prepared using information from the FBI's most recent Supplementary Homicide Report data. The policy center said it is the first study to provide a breakdown of such cases in the 15 states with the highest number of domestic homicides in 2000, and the first to rank states according to their

female murder rates. More than half of the killings were in the South.

Mississippi, the report said, ranked first in 2000 with 40 women killed under circumstances involving a lone male offender, for a rate of 2.72 per 100,000 women. Next was Arizona with 58 domestic homicides, or 2.26 per 100,000, followed by South Carolina, with 46 victims, a rate of 2.23 per 100,000.

The annual report reportedly came as a disappointment to that state's officials. South Carolina had been ranked fifth in the nation in 1999 after having the dubious distinction of being first the previous year. More than half the women killed there in 2000 were shot — 59 percent. Two-thirds were wives, ex-wives, common-law spouses or girlfriends of the suspects, said police.

Attorney General Charlie Condon told The Charleston Post and Courier that the ranking showed the "need to have a statewide war against domestic violence," which he called "our No. 1 crime problem."

Condon's "no-drop" policy, which

requires district attorneys to pursue domestic violence cases even when the victim does not want to testify, has increased such prosecutions by 50 percent.

In fourth place on the policy center's ranking was Tennessee, where the number of murdered women was 2.12 per 100,000 in 2000, or 62 victims. In 98 percent of cases where the victim's relationship with the offender could be identified, the killer was someone she knew. Fifty-nine percent were spouses.

Tennessee had been in seventh place in 1999, and the new findings surprised the state's domestic violence experts. Said Elaine Kite, a victim's advocate at the Knox County Sheriff's Department's Family Crisis Center: "I think we've come an incredibly long way."

The initiative's program manager, Angela Hill, told The Associated Press that the numbers have been lower over the past few years. "I absolutely think as a community we're doing a better job."

According to the Violence Policy Center's study, black females were killed in 2000 at a rate three times that of their white counterparts — 3.18 per 100,000 as compared with 1.01 per 100,000.

More than 10 times the number of African American women were murdered by someone they knew than by a male stranger, said the study. And nearly all of the 603 black women murdered that year, 95 percent, were killed by someone of the same race.

Firearms, and overwhelmingly handguns, were used in 52 percent of the cases. The number of black females shot and killed by their husbands or intimate partners, said the report, was more than three times higher than the total number murdered by male strangers using all weapons combined in a cases involving a single victim and single offender.

"Women must consider the risks of having a gun in their home, whether they are in a domestic violence situation or not," the report said. "While this study does not focus solely on domes-

tic violence homicide, it provides a stark reminder that domestic violence and guns form a deadly combination. Firearms are rarely used to kill criminals or stop crimes. Instead, they are all too often used to inflict harm on the very people they were intended to protect."

A number of initiatives aimed at curbing domestic violence and homicide have been launched in jurisdictions around the country. In St. Louis County, Mo., officials said in October that they will use a two-year, \$59,342 federal grant to hire and train two police officers to focus on stalker complaints, and to set up a family court that will maintain a docket specifically for stalking offenses and orders of protection.

In Maine, domestic violence rose statewide by 10.2 percent in 2001, according to State Police. A local law enforcement program in Auburn has shown significant results, with police there making unannounced visits to the homes of victims to make sure they are not being subjected to continued abuse. Although the number of arrests in 2001 for domestic assaults was only slightly lower in 2001 than it was the previous year — 142 compared to 146 — between January and July of this year, only 34 such arrests were made. Meanwhile, during that period the number of men caught violating protection orders has risen to 45, from seven in 2000.

A \$600,000 federal grant awarded

to the Austin, Texas, Police Department has paid for staff at the county and district attorney's offices to counsel domestic violence victims as part of a Family Violence Protection Team, a coalition of law enforcement agencies and women's advocacy groups from Austin and Travis County.

In addition, Police Chief Stan Knee said the department will be developing a list of the top 10 residences from which it receives calls involving domestic violence. Police victims services counselors will make surprise visits to those addresses.

Technology will help prosecutors in New York City fight domestic violence. 911 calls will soon be recorded digitally, allowing them to be replayed for judges at the time of an arraignment or when imposing orders of protection against alleged abusers.

While the \$4.2-million upgrade will isolate all emergency calls, it will be particularly helpful in domestic-violence cases. Previously, recordings of victim's cries could take up to three months until police could locate the right splice of tape from a domestic violence call.

"Now you will hear the terror, you will hear the screams," said Manhattan District Attorney Robert Morgenthau. "And the court will get a vivid picture at the time bail is set and orders of protection are issued."



No shore thing

A police officer interviews a group of Haitian immigrants after they were apprehended in the Miami area on Oct. 29. About 200 Haitians jumped off an overcrowded freighter that ran aground off Key Biscayne, with some swarming a bridge in hopes of getting passing motorists to help them elude border patrols. (Reuters)

New police focus: Somali immigrants

Continued from Page 1

them in the same vehicle, they might get offended," said Heibeh.

Along the same line is a caution for police who may have to perform CPR. If a woman's clothes need to be cut to perform the procedure, putting a blanket over the victim to preserve her modesty from onlookers would be appreciated by the community, Heibeh said. Some Somalis may take an even stricter view in such situations, he said — they would rather see a woman die than have a strange man touch her chest.

The recent influx of Somalis has created a mini-diplomatic flap in Lewiston, where a three-page letter sent out by Mayor Larry Raymond, in which he asked Somalis to spread the word that the city can no longer absorb any more refugees, was met with confusion and anger by many in the community.

"This large number of new arrivals cannot continue without negative results for all," it said. "The Somali community must exercise some discipline and reduce the stress on our limited finances and our generosity."

Raymond's request comes at a time when police have been called on to deal with clashes between the new arrivals and other residents. There have been fights at Lewiston High School, and three Somalis were charged with aggravated assault in October following an attack on a local man.

"Each time, the people involved say it's not racial," said Police Chief William Welch. "There are some tensions among people who are competing for the same services and the same housing."

While nearly half of the refugees have found employment, Lewiston's general assistance spending has more

than doubled in the past 12 months. More than half of the \$528,000 budget is expected to go to Somalis, The Associated Press reported.

In Holyoke, the City Council voted 12-to-2 this month to ask the federal government to rescind an annual grant of \$320,577 over the next three years which is intended to help with the resettlement of 300 Bantus, a Somali minority group.

Said Heibeh: "Most Somalis are hard-working people. They want to earn their income because if you don't earn, you're not proud. That's how our culture is; they are not welfare-loving people. [The] people of Maine need to learn about the culture and where these people come from."

One of the ways to do that, he suggested, would be a workshop that teaches the community about domestic violence laws, child abuse, gang-involvement and personal safety when it comes to robbery. A livery driver was killed in San Diego when he fought back against robbers, noted Heibeh.

Among the other tips he had for law enforcement:

¶ When arriving at a crime scene, approach an older male for information first, because it is what the community expects.

¶ Somalis believe looking someone in the eye to be insulting. A refusal to do so should not be interpreted as a sign of dishonesty.

¶ When pulled over during a traffic stop, Somalis will often approach an officer's car. This is not necessarily a sign of aggression.

¶ Burn marks on a child may be signs of a form of nontraditional healing practiced in rural parts of Somalia, not evidence of child abuse.

Good News!

Looking to enter or advance in the security profession?

Register at John Jay College of Criminal Justice for undergraduate non-degree status and earn a Certificate in Security Management Studies!

The certificate is awarded by the college's Department of Law, Police Science and Criminal Justice Administration upon completion of a total of 15 credit hours. Choose from the required courses Introduction to Security (may be waived based on life experience) and Law for Security Personnel, plus any three of the following: The Investigative Function; Security of Computers and their Data; Methods of Security; Security Management; Emergency Planning; or Seminar in Security Problems. Courses are available on a dual-track day and evening basis.

Qualified applicants are now being accepted! No entrance exams are required, however, applicants must present a high school or equivalency diploma proving graduation as well as transcripts from all colleges previously attended.

Registration for the spring semester will be held on Jan. 15-22, 2003, with late registration on Jan. 29-30. Admission applications must be submitted three weeks prior to registration. Act now!

For more information, contact Professor Robert Hair, Coordinator, (212) 237-8380. For an application, contact Sandra Palleja at the college Admissions Office, (212) 237-8861 or 237-8833, e-mail, admiss@jjay.cuny.edu, or write to: Admissions Office, John Jay College of Criminal Justice/CUNY, 445 West 59th Street, New York, NY 10019.

Miller:

End-of-year enhancement of your nest egg

By Girard Miller

With the end of 2002 drawing near, and before welcoming in the New Year, law enforcement officers should consider taking the time out of their busy lives to review their financial status. One of the best places to begin is with retirement planning, since that is the key financial goal for those in the law enforcement field.

Making an annual review of your retirement planning progress may enable you to take the necessary steps to reach your financial goals earlier, perhaps help you reduce your tax burden in 2003 and relieve one potential area of stress.

Three activities are especially worth considering as law enforcement officers begin such a review. Of course, you might want to meet with your personal financial adviser to discuss your particular situation and any additional steps to take before ushering in the New Year.

Increase contributions

One of the best ways to make progress toward saving for retirement is to increase your contributions to your retirement plan. Beginning Jan. 1, 2003, you can take advantage of provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) that substantially increased the maximum contributions an individual can make to a 457 deferred compensation plan. For 2003, the maximum salary deduction contribution allowed for 457 plans increased to \$12,000 year. The limit will be raised an additional \$1,000 each year until reaching a maximum of \$15,000

(Girard Miller is the president and chief executive officer of the ICMA Retirement Corporation (RC), a not-for-profit corporation that provides investment services for \$15 billion of retirement plan funds, as well as plan-administration for state and local governments nationwide. Among other government service, Miller previously served as director of fiscal services for the City of Southfield, Mich. He holds a master of public administration degree from the Maxwell School of Public Affairs of Syracuse University, and a master's in economics from Wayne State University in Detroit. ICMA Retirement Corporation can be reached at 777 North Capitol St. N.E., Washington, DC 20002-4240. 1-800-669-7400.)

Weston:

Controlling crime, or explaining it

By Carl Weston Jr.

Something nags at me every day I come to work. I have proudly served with the Providence Police Department for over 17 years. I love my work, and I have a genuine and sincere desire to help people. But increasingly, I see things moving toward a situation that bears no resemblance to what I was taught police work should be.

I was brought into the world of policing, as are all new cops, thinking that there's right and wrong, good people and bad, and that you protect one from the other. A little naïve sounding, maybe, but a noble premise nonetheless. Lately, however, my job description has gotten blurry, the lines a little less clear. Like always, I'm sworn to do what it is I've always done: stop the bad people from hurting the good, keep the peace, mediate, moderate, referee, counsel, shelter, investigate, apprehend, prosecute, and a million other things. These functions make up a job description that would fill a set of encyclopedias, and one which the average person cannot begin to comprehend. I know how to keep crime down and make the citizens feel safer.

It's complicated, but not rocket science. These days, however, it's made much more difficult by politicians and activists expecting me to fulfill this

in 2006.

Before the New Year begins, ask your employer to increase the percentage of your payroll contributions, effective Jan. 1, 2003, to your 457 or 401(k). Increasing the amount of your yearly contributions by just a small amount can produce great results. For example, say you are 30 years old and currently contribute \$100 biweekly into your account. At age 60, if you earned 8 percent on your investment, you would have \$306,620. But if you contributed just \$25 more biweekly in

An annual financial review may help you reduce next year's tax burden and even relieve one potential area of stress.

2003, you would have \$383,275. Saving additional money in 2003 may go a long way toward building your retirement nest egg.

Remember, too, that a 457 plan is often the best place for your retirement savings if you are considering early retirement. Unlike IRAs, 457 plans are not subject to the 10-percent penalty for withdrawals before age 59½.

Catch-up provision

After you increase your contributions to your retirement plan, you might also want to look at taking advantage in 2003 of the catch-up provision included in EGTRRA.

Under EGTRRA, 457 and 401(k) participants are allowed to make "age 50 catch-up" contributions. Under these provisions you may make additional contributions to your 457 or 401(k) account each year from the year you reach age 50 until you leave employment. The age 50 catch-up limits for 2003 will be \$2,000 and will increase to \$5,000 by 2006. For example, in 2003, a 457 participant who is 50 would have the potential of

demanding role, keeping crime in check, and at the same time explaining why the crime is happening. Well, the last time I looked, it said Providence Police on the side of the cars, not Providence Socioeconomic Services. If you want a sociologist, call Brown University. You want a cop, call me.

I believe I speak for every good cop when I say we're becoming afraid to aggressively pursue the criminal element for fear of being tagged as racist profilers. We know who's committing most of the violent crime in our city, but we're reluctant to take steps to rein them in.

The news media would have you believe that the problem is as simple as whether the "police stop people based on their race or their driving habits." That overly simple phrase is in every story done about racial profiling. The Providence Police Department stops many cars driven by many different people for many different reasons. If we stop a car specifically based on someone's skin color, rest assured it's because that's what a victim or a witness gave us as part of a description of an offender, whatever his or her race.

The bottom line is that most of the violent crime committed in the city of Providence is committed by younger male members of minority

Your credit is:	If you are the head of the household and your AGI is:	If you are married, filing jointly, and your AGI is:	If you are single or married, filing separate, and your AGI is:
50%	\$0 - \$15,000	\$0 - \$30,000	\$0 - \$15,000
20%	\$15,001 - \$16,250	\$30,001 - \$32,500	\$15,001 - \$16,250
10%	\$16,251 - \$25,000	\$32,501 - \$50,000	\$16,251 - \$25,000

(Example is for illustrative purposes only, and is not to be construed as investment advice. Consult with your personal financial adviser prior to initiating or modifying any retirement plan.)

contributing \$12,000 under the "normal" 457 limits, and an additional \$2,000 under the age 50 catch-up limits, for a total contribution of \$14,000. (Note that 457 participants cannot use the age 50 catch-up provision during the year(s) in which they use the "existing" 457 catch-up provisions.)

Using the catch-up provision offers the same benefits as increasing your regular contributions — you may be able to increase your retirement plan assets at a faster rate and also reduce your taxable income for 2003, which may result in additional savings on your taxes.

Receive tax credit for contributions

If you contribute to a retirement plan you might also benefit from saving regularly — a tax credit of up to \$1,000.

If you contribute to a 457, IRA, 401(k) or 403(b) plan, you may be eligible for a tax credit under EGTRRA. Furthermore, the credit will reduce the federal income tax you pay dollar-for-dollar.

The amount of the credit you can get is based on the contributions you make to your retirement plan and your credit rate. The credit is equal to a specified percentage of certain employee contributions ranging from 10 percent to 50 percent, depending on your adjusted gross income (AGI).

For example, a joint filer with combined AGI of up to \$30,000 could take a 50-percent credit on his or her contribution. (If she defers \$2,000 into a 457 plan, the credit would be \$1,000 — 50 percent multiplied by \$2,000.)

It is important to note that the amount of the

contribution eligible for the credit will be reduced by the amount of any taxable distribution from the retirement plan or IRA taken during the year the credit is claimed, the two preceding years, or between the end of the year the credit is claimed and the due date for the participant's income tax return. For Roth owners, the reduction applies to any Roth IRA distribution.

The credit is available if you: are 18 or older; are not a full-time student; are not claimed as a dependent on some else's return, and have adjusted gross income that does not exceed \$50,000 if you are married filing jointly, \$37,500 if you are a head of household with a qualifying person, or \$25,000 if you are single or married filing separately.

As a law enforcement officer, you probably recognize that saving for retirement is an important financial goal. By taking advantage of these retirement savings options, you may be even closer to your goals and have additional reasons to welcome in the New Year.

Letters

No stinkin' badges

To the editor:

I am a deputy sheriff and retired police chief. In July 2002, I purchased two badges and I.D. cases from the ABY Manufacturing Group Inc., d/b/a Entenmann-Rovin Co. ABY Manufacturing Group Inc. are the new owners of the Entenmann-Rovin Company, which has been in business since 1888. I returned the badges and I.D. cases because of poor workmanship. Entenmann-Rovin did not repair the products promptly and spelled the word "appreciation" on a nameplate as "apreciation."

After haggling with them for three months, I decided enough was enough. I wanted my money back and I promised never to do business with them again. On Oct. 2, 2002, the CEO of Entenmann-Rovin, a Mr. Nati Goldman, wrote to me, stating, "The fact that you didn't catch the spelling mistake on the nameplate should not insinuate that we handled your order in a 'careless' manner. Perhaps if you too had done your job..."

I am out \$204.80, and I have defective products from this company, which I cannot use. Don't let this happen to you. Buyer beware!

LEWIS CAZENAVE
Montezuma, Ga.

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

(Weston is a detective with the Providence, R.I., Police Department. This article is adapted from one that originally appeared in The Providence Journal-Bulletin.)

Hard questions about RMS software

Continued from Page 1

created a backlog of nearly 1,000 reports. While it did not jeopardize officers' safety, it did put a strain on the department, Corvallis Capt. Gary Boldizar, co-manager of the RMS project, told The AP.

Boldizar praised officers and sergeants for their patience.

"They've been great," he said. "They've been real flexible with the new software, and they're all dedicated people. Of course, they're frustrated by not being able to be out in the community when they spend time back here at the office writing reports."

Two years ago, when Vision Software became VisionAir, the firm had implemented some 180 emergency call systems around the country, among other products sold to law enforcement agencies.

Its display for the 911 centers provides a map with a list of the calls processed, the resources in the field, the equipment each vehicle is carrying and how its occupants are trained. The "Unit Suggest" program is said to evaluate the emergency call, the location and history of the site, who is on duty, and other factors before making suggestions as to which unit should be dispatched.

"It's an enterprise undertaking to automate a public safety agency end-to-end," Martin Hollingsworth, VisionAir's vice president of marketing, told LEN. "The processes and work flow that the folks who work in this business go through and follow are pretty ingrained. Sometimes implementing a new software system causes an agency to have to reevaluate this process and sometimes make changes. I think some agencies are able to adapt better than others."

VisionAir, which Hollingsworth said has 550 users around the country, laid off 65 employees last April, cutting its work force to 180.

"They've gone through three CEOs now — I think they got a new CEO again," said Maj. Wink Downen of the Shelby County, Tenn., Sheriff's Department.

Downen retired from the Memphis Police Department's in October 2001, where he had overseen the agency's contract with VisionAir for an RMS system. It was due to be fully implemented in April 2001, he said, and the police department is still waiting.

"I don't think they realize the size of the requirements they signed with the city of Memphis," Downen told LEN.

"The more records we get in the system, the worse the performance becomes."

"It was a well-written contract which required things that haven't been done."

VisionAir, he said, is in the process of giving him a proposal on time lines for fully executing the contract. The next step would be to take legal action on the nearly \$3.5-million contract the company has with the city. But doing that would put the project in limbo — something everyone wants to avoid, said Downen.

In Sarasota, attorneys for VisionAir are claiming that the company was never given a chance to fix the problems, as stipulated by the contract. It is holding against the city a letter by former police chief Skip Jolly, which told the firm the department was ending its relationship with VisionAir. Jolly returned the updated software CD as well.

Lee Whitman, the company's legal counsel, has denied Sarasota its refund and demanded \$70,000 he said it still owed VisionAir. An email response from City Attorney Doug Lawless to Whitman this month said: "The city of

Sarasota is adamant that it be refunded the approximate \$700,000 that it has paid for system that simply neither works nor comes close to its promised performance. Vision had more than ample opportunity to correct the problems, and simply could not."

The department has since signed a \$50,000 contract with ICAD Inc., the vendor that implemented its original RMS system, said Lacertosa.

One of the problems with the software, said Downen, is that "their [VisionAir's] database, the back end of it, is not designed to handle the amount of data the Memphis Police Department would have, especially with the [Shelby County] Sheriff's Department on it, too."

"I'm sure it's the same issue Sarasota is seeing," he said. "The more records we get in the system, the worse the performance becomes. We probably have over 5 million main records in this system now. When you go to search a main record, you can go get your cup of coffee and come back. With any good software package, you search a main record and results are back in five to 10 seconds, max."

These issues are not unique to VisionAir, he noted, but rather are the norm with many vendors that sell software solutions to the public safety market.

One of the ways in which law enforcement agencies can avoid future conflicts with vendors, Hollingsworth suggested, is to do "a really good job of evaluating their overall needs and the overall political situation surrounding those needs." While the trend today is

to do more of that, he said, agencies can always do a better job of planning and preparation.

Going from a partially or non-automated environment to the type of speed capability that comes with the latest technology is a "pretty dramatic change for most people," said Hollingsworth.

One agency that which has had success with its VisionAir software is the Durham County, N.C., Sheriff's Department. The department's information technology manager, John Hardy, said the software and hardware purchased over the past four years is working well.

The county spent approximately a quarter-million dollars on a central warrant system which all local jurisdictions could access; then an RMS in 1999 for another quarter-million, and \$600,000 on a wireless mobile data system in 2000.

Hardy recalled attending a conference last year at which he met up with members of the Louisville Police Department. "They asked me how things were going and whether they should sign up," he told LEN. "They had a contract they weren't sure they wanted to fulfill. I told them that VisionAir was getting things together as far as support went. They needed to put pressure on them to follow through...It's not the product, the product works fine. And their support is really great now as far as I'm concerned."

Downen said that police departments often lack the know-how to put together a questionnaire that will elicit from colleagues what they need to know when looking for a vendor. Moreover, few people at the agency have the time to answer a questionnaire that may be several pages long.

"Call me, I can give you the synopsis in five minutes," he said.

Higher education means less disciplinary action

Continued from Page 1

vocation and voluntary relinquishment of certification — and found that those with the lowest levels of education were disproportionately represented, accounting for 76 percent of certification losses. Officers holding bachelor's degree and above accounted for only 11.6 percent of decertifications, the study said.

Officers with high school diplomas accounted for 80.4 percent of the 332 revocations between 1997 and 2002, and 70.9 percent of the voluntary relinquishments.

"From this base review of state-administered discipline, it is apparent that higher educated officers have significantly less discipline than less educated counterparts," said the report.

According to a Bureau of Justice Statistics study of major-city police departments, the percentage of those that require a four-year degree rose from 1.6 percent to 4.8 percent from 1990 through 2000. Those requiring two-year degrees jumped from 4.8 percent to 9.7 percent. Overall, about twice as many agencies required some type of college education for new officers in 2000 as they did a decade earlier.

Cunningham's study differs in two ways from previous examinations of the issue, noted Dr. Louis A. Mayo, executive director of the Police Association

for College Education. The first is in its scope, which is statewide. The second is in its examination of founded complaints.

"To be referred to the Florida commission for decertification, you must have a serious founded offense, not just an allegation," he told LEN. "The quality of the data, as well as the quantity of data here, in my opinion, is a significant contribution to the state of the art."

Cunningham said the IACP committee is in the process of designing a two-year study that will look at discipline not only in the state of Florida, but in other states so as to come up with a national cross-section. It also plans to do a complete literature review of educational materials related to law enforcement. The goal is to come up with solid recommendations for police and sheriffs who want to implement college requirements, he said.

"To date, there are a handful of agencies across the country that have various educational requirements for entry level and promotion, but it's not uniform at all," Cunningham said. "There's been a lot of debate about if they do this, they're going to have problems with diversity, they're not going to be able to attract people, pay salaries.... The thing is, in most cases, that is purely anecdotal. It doesn't really bear out."

Headlines are not enough

Affirmative-action programs looking a little black & blue

The jury is still out on community policing

Time to rethink academy & field training

Maternity-leave

To do a tough job in changing times, you need timely, comprehensive, straightforward information. For the latest trends and ideas, turn to **Law Enforcement News**. Twenty-two times a year, we'll put you in touch with the thinking of those who are shaping law enforcement policy and practice.

YES! I'm ready for the professional advantage of **Law Enforcement News**. Enter my one-year subscription and bill me just \$28.00. (Return the coupon to LEN, 555 W. 57th Street, New York, NY 10019.)

Name/Title _____
Agency _____
Mailing Address _____
City/State/ZIP _____

Law Enforcement News

(103102)

A publication of John Jay College of Criminal Justice/CUNY

Task forces confront medical marijuana

Citing methamphetamine as a greater problem for law enforcement in California than the state's medical marijuana law, San Jose Police Chief William Lansdowne this month pulled four of his officers from a Drug Enforcement Administration joint task force.

Proposition 215, which permits local governments to regulate distribution of marijuana for medicinal purposes, was passed in 1996. In San Jose, 63 percent of voters approved the law, as did 81 percent of voters in Santa Cruz, where the task force raided a marijuana club in September.

"Very clearly, Prop 215 allows people to grow and use medical marijuana under very controlled circumstances," Lansdowne said in an interview with Law Enforcement News. "Many agencies in California, over a period of several years, have negotiated a process they're very comfortable with. It becomes a conflict if we use our officers in San Jose to go to another county to enforce a law they have already looked at and feel was legal," he said. "Clearly there is a conflict if you use us in a task force."

It creates a rift between local agencies that work closely with each other on a daily basis, said Lansdowne.

Moreover, the state's problem is not with cannabis clubs, but rather with methamphetamine labs. "It's not a priority for us," he said. "Methamphetamine is, and that's where we ought to be."

But in other parts of the country where the use of marijuana for medical

problems is also permitted, police and federal agents do not see a conflict.

In Sweet Home, Ore., a DEA agent seized a dozen marijuana plants from a 52-year-old quadriplegic who has a state license to grow pot for personal use.

Under a law passed by Oregon voters in 1998, Leroy Stubblefield was allowed to cultivate three mature plants and four immature plants. In addition to California and Oregon, similar ballot initiatives have passed in Arizona, Colorado, Maine, Nevada and Washington. Hawaii's Legislature has also passed a law permitting medicinal marijuana use, as well.

According to Lieut. Will McNulty of the Linn County, Ore., Sheriff's Department, a local narcotics team had received information that Stubblefield had 100 plants growing at his residence and decided to take a look. The officers knew he had a medical marijuana card, McNulty told Law Enforcement News.

"There happened to be a DEA agent in the office; he decided to come along," he said. "Once they got up there, they realized the resident was in compliance with the state law, and they were finished with their detail."

The DEA agent, however, decided to seize the plants, said McNulty. "Under their rules, the DEA can do that," he said. "In this particular case, once the fellows involved in the medical marijuana issue realized who was up at the house, they talked to [Stubblefield], replaced his dope and all kinds of stuff."

The Portland-based Hemp & Cannabis Foundation said it intends to sue federal, state and local law enforcement officials.

McNulty said he sees no conflict between state and federal law enforcement prerogatives, nor does Ken McGee, the special agent in charge of the DEA's Oregon field office.

The Sheriff's Department has no plans to refuse federal agents on drug raids or other narcotics enforcement duties, said McNulty. "From our perspective, the DEA [agent] was working on his federal laws, and we worked on our state laws. There is a difference between state and federal laws; there's no conflict between the DEA and the local narcotics team I'm aware of."

"In this case," he said, "it appears as though our state laws are more liberal than the federal laws, and that will probably have to be something resolved in the court system."

McGee sees the situation as one of two separate law enforcement entities enforcing different sets of laws. But somebody has to have the final say, and in this case, it is the federal government, he asserted.

"I'm not aware of any conflict," McGee told LEN. "There is very rarely any type of investigation that is conducted in the arena of law enforcement that does not have federal and state participation."

The DEA is enforcing laws that have been established by Congress, he said. In the event that those laws are changed, the agency will "reevaluate

the way [it does its] business."

"I have to be very quick to point out that not only are we investigating and doing what we have to do by law, we also are constantly involved in the idea of evaluating the use of any type of narcotic or substance to see if it has benefit," McGee said. "At this point in time, no accredited medical association will go out and say the idea of smoking marijuana has a medicinal purpose. I can't be any clearer than that."

San Jose's Chief Lansdowne removed his officers from the DEA's High Intensity Drug Trafficking Area squad in October after the unit raided the Wo/Men's Alliance for Medical Marijuana in Santa Cruz. Some 167 plants were seized and the alliance's founders, Mike and Valerie Corral, were arrested. The club, which grows marijuana organically on its own farm, had been operating since 1996 under the supervision of city and county law enforcement authorities.

The squad included personnel from the Immigration and Naturalization

Service, the FBI and the Santa Clara County Sheriff's Office. Lansdowne reassigned his officers to the San Jose Police Department's own narcotics unit and the state Bureau of Narcotics task force.

"It's unfair to put our officers in a position of deciding how they're going to enforce a law that's in conflict with local law," he said.

A 32-year veteran who has spent the past four years as chief, Lansdowne said that a decision had been made by the public. If it is well-managed, it is legal. "Our district attorney believes that, the state believes that, and I believe they're correct, as long as there are controls in place."

MOVING?

Don't leave Law Enforcement News behind. Send change-of-address notices to the Subscription Department at least 6-8 weeks prior to effective date.

Boston police union dumps on PC over shooting at moving cars

Numerous major cities have adopted policies that prohibit officers from firing at moving vehicles, but when Boston Police Commissioner Paul F. Evans proposed a similar rule for his department recently, he was handed a unanimous no-confidence vote and a call for his resignation by police union leaders.

Evans sought the ban one day after a shot fired by police killed Eveline Barros-Cepeda on Sept. 8. The 25-year-old victim was a passenger in the back seat of a car that had struck an officer, then sped away. She was the fourth person killed by police this year, and the eighth in the past 22 months.

The city's largest police union, the Boston Police Patrolman's Association, promptly accused Evans of having sold out the officer who fired the shot, and of seeking to impose restrictions on officers that would prevent them from defending themselves.

The proposal also angered members of the union representing sergeants, lieutenants and captains. The Boston Police Superior Officers Federation said it had "serious concerns" with it, calling the proposed policy "a hasty and poorly conceived response to an unfortunate incident."

Wading into the controversy, state Attorney General Thomas Reilly urged the patrolman's union to reconsider its call for Evans's resignation. Reilly noted that police agencies throughout Massachusetts have embraced similar policies, and said he did not believe the commissioner was putting officers in harm's way by seeking the ban.

"I really wish they'd take a step back and realize an innocent woman is dead,

and we all should be saddened by that. It's tragic," Reilly said of the union vote, in an interview with The Boston Globe.

Among the cities that have banned officers from firing at moving vehicles except under extreme circumstances is Washington, D.C., where officials implemented the rule in 1999 following a series of articles in The Washington Post that documented what seemed to be an excessive use of lethal force by police.

Under the D.C. policy, police cannot fire unless the vehicle is not the only threat. In Chicago, which has a similar ban, a suspect was shot and killed behind the wheel recently because he held a gun while threatening to run down officers.

"Firing at a car is not going to stop it," Chicago police spokesman David Bayless told The Globe. "Firing a weapon will not stop a vehicle from hitting you."

In 1999, the number of shootings at vehicles by D.C. police fell to four, from twice that number the previous year. Only one was deemed unjustified, according to Insp. Joshua Erdheimer, the police department's director of civil rights and force investigations.

"In the old days, we would shoot at cars if they were coming at us," he told The Globe. "But that was the old days. We've learned that if there's a great big car coming at you, firing at it is not going to stop it. Then you're putting a whole lot of other people in danger."

The increase in police shootings has created tension between Boston police and the community. The most recent

shooting on Sept. 17 of a carjacking suspect has further frayed relations cultivated over the past decade through innovative programs developed jointly by local law enforcement and civic leaders.

"A lot of what we saw was mounting anger and frustration about a string of shootings that we had before and about the lack of answers," said the Rev. Ray Hammond, chairman of the Boston Ten Point Coalition. The group has been nationally recognized as a model program which helped to stem juvenile crime by establishing close ties among police, religious and community leaders.

"I don't think those bonds have been broken, but they are severely strained," he told The Associated Press.

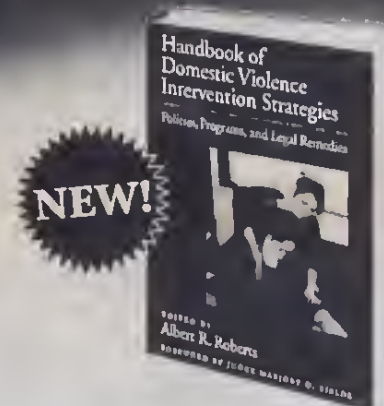
There have been no official reports on four of the eight fatal shootings. One was investigated and dropped by a grand jury whose proceedings remain sealed, and the other three are still under investigation.

Said Hammond: "What I don't think perhaps sometimes prosecutors and police might understand is that during all those months of investigation, rumors are spreading, people are developing ideas about what happened and why, and a lot of those are not really favorable to police and undermine the willingness of community members to cooperate and work with the police."

Police Superintendent Paul Joyce said the department is looking for ways to get information out in a more timely manner. "We would rather get the information out before people fill in the blanks," he said.

Handbook of Domestic Violence Intervention Strategies Policies, Programs, and Legal Remedies

Edited by Albert R. Roberts, Ph.D.



2002 0195151704
560 pp. \$40.00
with 20% Discount

This comprehensive new volume is a state-of-the-art compendium of the latest public policies, program developments, legal remedies, criminal justice responses, and interventions for work with battered women and their children. This is the first book to include court-based technology developments and new research related to the duration and intensity of battering.

"This is the text for which I have been searching... If you are going to purchase one book on domestic violence this year, this should be the one. I expect it to become a classic." —Professor Charles Lindner of the Department of Law, Police Science and Criminal Justice at John Jay College of Criminal Justice

"Law enforcement executives who are truly concerned about their department's response to domestic violence must have this book. It provides comprehensive and practical insight, suggestions and strategies never before available in one text. This source book on domestic violence is an invaluable tool for the police professional." —Deputy Police Chief Thomas W. Finn, M.P.A., Director of Public Safety East Brunswick Township, NJ

"This up-to-date book is at once pathbreaking and practical, comprehensive and insightful, and it goes a long way toward shattering the 12 most common myths of domestic violence, replacing them with factual information. The information in each powerfully written chapter is also complemented by thought-provoking and stimulating case illustrations that help give this book its realistic tone. . . Roberts & Co. have produced a truly remarkable book that holds tremendous value for practitioners in virtually every sphere of the criminal justice enterprise. In particular, it should be purchased by police training officers, by chiefs and administrators who are concerned with developing more effective policies and programs, and by police libraries. If the goal is to save lives, to prevent domestic violence injuries, and to secure justice, the 'Handbook of Intervention Strategies in Domestic Violence' is a must-read."

—Vincent E. Henry, Ph.D., recently retired after a 21-year career with the New York City Police Department, where he developed domestic violence policies and programs as commanding officer of the Office of Management Analysis and Planning's Special Projects Unit. He is now an associate professor of criminal justice at Pace University in Manhattan (from Law Enforcement News July/August 2002)

OXFORD
UNIVERSITY PRESS

Prices are subject to change and apply only in the US. To order, or for more information, please call 1-800-451-7556. In Canada call 1-800-387-8020. Visit our website at www.oup-usa.org

Law Enforcement News

A publication of John Jay College of Criminal Justice/CUNY

Vol. XXVIII, No. 586

October 31, 2002



Hard questions about software

On the road to increased automation,
some police departments are finding
far too many speed bumps.

See Page 1.

Bridge-building 101:

Some tips from the nation's only
Somali-American police officer
on reaching out to a growing
immigrant group. **Page 1.**

Enhancing your nest egg:

Expert year-end financial planning
ideas. **Forum, Page 9.**

John Jay College of Criminal Justice/CUNY
Law Enforcement News
555 West 57th Street
New York, NY 10019

NON-PROFIT ORG.
U.S. POSTAGE
PAID
New York, N.Y.
Permit No. 1302

What They Are Saying:

"Groups that are moving people or drugs all acknowledge and accept the risk of law enforcement intercepting loads, but they may have a real problem with civilians getting in the way."

— Santa Cruz County, Ariz., Sheriff Tony Estrada, on the recent activities of Ranch Rescue, an armed citizens patrol that has been focusing on smuggling along the U.S.-Mexico border. (Story, Page 6.)